

2016 Cambridge Township Zoning Ordinance

Adopted March 14, 2016
Cambridge Township Board of Supervisors
22530 Electric Drive
Cambridge Springs, PA 16403
Telephone: (814) 398-8327
Facsimile: (814) 398-4900
Email: cambridgetwp@verizon.net

CAMBRIDGE TOWNSHIP

ZONING ORDINANCE

ARTICLE I

- 101** **Short Title.** This Ordinance shall be known and may be cited as the Cambridge Township Zoning Ordinance of 2016.
- 102** **Zoning Map.** In addition to this Ordinance, a map entitled "Cambridge Township Zoning Map" is hereby adopted as and made a part of this Ordinance. This Zoning Map shall be the official Zoning Map for Cambridge Township and shall be maintained at the Cambridge Township Office.
- 103** **Authority.** This Ordinance and the Zoning Map hereby adopted are adopted pursuant to the powers granted to the Township by Article VI and Section 601 of the Pennsylvania Municipalities Planning Code.
- 104** **Statement of Community Development Objectives.** This Ordinance is enacted under and pursuant to the Pennsylvania Municipalities Planning Code, as amended, for the following purposes: To promote, protect and facilitate the public health, safety, and general welfare of the inhabitants of the Township of Cambridge by coordinated and practical community development; by providing for proper density of population and assuring adequate light and air; and facilitating the adequate provision of transportation, schools, parks and public grounds; and to prevent overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers, in accordance with the community development objectives for the Township of Cambridge.

The purposes and provisions of this Ordinance are those as set forth by Sections 603, 603.1, and 604 of the Pennsylvania Municipalities Planning Code. The regulations and districts contained herein represent reasonable consideration, related to the Comprehensive Plan of Cambridge Township adopted on August 10, 1999; as to the character of the districts and their peculiar suitability for particular uses of land. These provisions have been drawn with a view to preserving the existing environment and assuring the development of a future environment that realizes the greatest possible use and enjoyment of land on individual properties, balanced against the necessary protection of the values of buildings and land and the use and enjoyment of land on adjacent properties, with the objective of promoting and protecting the public welfare through the regulation of land use and process of land development.

Conflicting non-farm land uses shall be discouraged in areas where productive agriculture exists by discouraging paved roads and public utilities in agricultural areas.

Lands which have no concentration of active farm operations, and which are located outside the area feasible to be served by public sewerage, shall be encouraged to develop for low-density uses in keeping with constraints on development implicit in the land itself.

Future retail development proposed for the Cambridge Area shall be controlled and guided to minimize adverse influences on adjacent roads and land values, and shall be reviewed in terms

of its potential impact upon existing business in Cambridge Springs which should be maintained and strengthened as the service center of the Cambridge Area.

To encourage existing agricultural activities to remain functioning and to promote their expansion where possible, but not to consider residential activities incompatible with agricultural activity.

To discourage concentrated, large-scale commercial activities, such as a shopping center from locating in the Township, except in the Highway Commercial District.

To encourage concentrated medium density residential development in portions of the Township surrounding the Borough in areas that are accessible to public utilities and have no physical land restraints.

To devise a priority system for the maintenance and possible paving of Township roads based on such factors as the number of residences served by a particular road, whether the road borders the Borough, and whether the road provides a connection between two paved roads.

To hold development densities low in areas of the Township that are accessed by gravel roads on steep gradients.

To regulate the creation of new roads through the use of a Subdivision and Land Development Ordinance to insure that new roads could later be taken over by the Township.

The future extension or expansion of the Cambridge Area Joint Authority's water and sewer utilities shall be based upon population density or upon intensity of land use as justification and evidence of need.

Building lot sizes should be regulated so that they are adequate enough to handle on-lot sewage systems but small enough so that a later conversion to public sanitary sewer and water service systems can occur without economic hardship to the property owners.

Subdivision activity within the Cambridge Area shall be regulated to ensure that acceptable standards are adhered to in all new residential development and to protect the natural quality of the area from unwise exploitation.

Low-density residential development and agriculture should be maintained in the rural areas of the Township where it is too costly to extend public utilities, and where such extension would threaten productive agricultural activity.

105 **Interpretation.** In the interpretation and application of the provisions of this Ordinance, the provisions shall be held to be the minimum requirement for the promotion and protection of the public health, safety, and welfare. Where provisions of this Ordinance impose greater restrictions than those of any other ordinance or regulation the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, ordinance, or other regulation shall be controlling.

106 **Severability.** If any article, section, subsection, paragraph, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Ordinance as a whole or any other part thereof.

107 **Applicability.** This Ordinance shall not apply to Cambridge Township in the exercise of its normal municipal functions of emplacing signs and essential services within public rights of way. The Township will adhere to all use and dimensional requirements for any municipal building.

108 **Other Government Property.** Property owned, leased or operated by the Commonwealth of Pennsylvania, or the United States, or any other public or governmental body or agency, shall be subject to the requirements of this Ordinance as follows:

- A. Where such public or governmental uses are specifically listed, they shall be governed as indicated.
- B. Where such public or governmental uses are not specifically listed, they shall be permitted only in districts permitting private uses of a similar or substantially similar nature.

Governmental entities and agencies shall be exempt from the provisions of this Ordinance only to the extent that it has been determined that the Township has no power to apply its zoning regulations to the particular use of land.

109 **Prohibited Acts.** No structure shall be placed, located, erected, constructed, reconstructed, moved, altered, converted, or enlarged; nor shall any structure or land be used, be designed to be used, or be altered to be used, except in full compliance with all the provisions of this Ordinance, except in conformity with the regulations established for the zoning district in which such land, building or structure is located, except after the lawful issuance of all permits and certificates required by this Ordinance, and except in conformity with permits issued under this Ordinance.

Article II Definitions

200 – Interpretation. For the purpose of this Ordinance, words used in the present tense shall include the future. The singular number shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter. The word "shall" is always mandatory. The word "building" includes "structure" and shall be construed as if followed by the words "or any part thereof." The phrase "used for" includes "arranged for," "person" includes an individual, corporation, partnership, incorporated association, or any other legal entity. The word "includes" or "including" shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character. Except as defined within this Ordinance, all words and phrases shall have their normal meanings and usage.

201 – Specific Terms. The following words and phrases shall have the meaning given in this section.

Abut – a lot, tract property or parcel that shares a property line with another and has no intervening street or navigable stream right of way.

Adjoining – shall refer to a property, lot, tract, or parcel that is immediately abutting another lot or public right of way.

Accessory Building – a subordinate building, incidental to, and located on the same lot as, the principal building, and used for an accessory use.

Accessory Use – a use incidental to, subordinate to, and located on the same lot occupied by the principal use to which it relates.

Agricultural operation – an enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

Agricultural Services – businesses selling goods or services to a substantially agricultural clientele, including: feed mills, seed sales, feed grinding services, and agricultural implement dealers.

Agricultural Sales and Services – businesses selling goods or services to a substantially agricultural clientele, including: feed mills, seed sales, feed grinding services and agricultural implement dealers, or businesses that process and sell agricultural products produced upon the same premises, or within the local community.

Artisan and Craftwork – a business involved in both producing and selling unique or distinctive items made from ceramic, textile, metal or wood, with an emphasis on handwork and non-mechanized production. Artisan and craftwork differ from other manufacturing in that no machinery requires greater than consumer 110 volt electrical service.

Assisted Living Facility – any premises in which food, shelter, assisted living services, assistance or supervision and supplemental health care services are provided for a period exceeding 24-hours for four or more adults who are not relatives of the operator, who require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency or medication prescribed for self-administration, and licensed and regulated as such by the Pennsylvania Department of Public Welfare.

Basement – a floor level completely below grade or floor level in which more than two-thirds (2/3) of the perimeter walls are below grade. A wall shall be considered below grade where the dimension from the first floor line to the finished grade is five (5) feet or less, and the slope of the finished grade extending ten (10) feet from the building walls does not exceed thirty (30) degrees.

Bed and Breakfast – an owner-occupied residence offering, for pay, overnight or short-term lodging and breakfast for transient guests.

Billboard – a sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Billboard, Electronic – an Electronic Sign that Functions as a billboard.

Building – a roofed structure, whether or not enclosed by walls, to be used for the shelter, enclosure or protection of persons, goods, materials or animals.

Building or Set-Back Line – the line to which a building or structure may encroach towards a yard or setback.

Building Material/Supply Yards – the storage of material in outdoor yards for retail sale, including, lumber, pipe, culverts and block

Business Services – any business activity that renders service to other commercial or industrial enterprises, including banks, credit unions and other financial services.

Car Wash – an area of land and/or a structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

Cemetery – land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery. This definition does not include accessory burial of family members on land belonging to an agricultural operation.

Commercial Recreation, Indoor – a facility which offers various indoor recreational opportunities for its patrons including such games as: pool, billiards, bowling, video games, miniature golf and similar pursuits.

Commercial Recreation, Outdoor – a facility which offers outdoor recreational or spectator opportunities for its patrons including such games as: miniature golf, driving ranges, tennis, team sports such as soccer or baseball, camps and clinics for sport instruction and similar pursuits. This category

does not include recreation fields accessory to schools, churches or community based non-profit organizations.

Commercial Recreation, Intensive Outdoor – a facility which offers various outdoor recreational or spectator opportunities for its patrons including go-cart raceways, paintball, auto raceways, motor sports, outdoor shooting ranges and similar pursuits.

Commercial Stable – a facility that permits riding of horses owned by another entity provides equine training services, organized horse events, or stabling of horses owned by others.

Conditional Use – a use to be allowed or denied by the Board of Supervisors pursuant to public notice and hearing and recommendations by the Cambridge Township Planning Commission and pursuant to the express standards and criteria set forth in this Ordinance.

Construction – the construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

Convenience Store – a small store, selling a limited variety of food and nonfood products, including prepared food but with limited or no patron seating, typically with extended hours of operation. Convenience stores may also sell gasoline or other motor vehicle fuels.

Coverage – the percentage of a lot covered by buildings or structures, measured as gross floor area divided into lot area.

Contractor's Office, Garage or Storage Yard – the place of business for a carpenter, mason, plumber, electrician, excavator, or similar tradesman. The key aspects of this business are that most of the services rendered are completed on a site other than the business location. The business location is used for ancillary activities, such as, billing and accounting, storage of construction materials for use on such other sites, and service and repair of the contractor's vehicles and equipment.

Day Care Services for Children (Day Care) – provides out-of-home care for part of a 24-hour day to children less than sixteen (16) years of age, excluding care provided by relatives and excluding day care furnished in places of worship during religious services. This Ordinance identifies three levels of Day Care Services for Children:

- A. Family Day Care Homes - facilities in which child day care is provided at any one time to four (4), five (5), or six (6) children who are not relatives of the care giver.
- B. Group Day Care Homes - facilities in which care is provided for more than six (6) but less than eleven (11) children, at any one time, where the child care areas are being used as a family residence. [Care of children where the child care areas are not used as a family residence will be considered a Day Care Center.]
- C. Day Care Centers - facilities in which care is provided for seven (7) or more children, at any one time, where the child care areas are not used as a family residence.

Childcare for less than four (4) children will not be considered as Day Care Services.

Dog Kennel – any facilities identified and licensed as a kennel by the laws or regulations of Pennsylvania.

Dwelling – a building arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other upon the premises. The term "dwelling" shall not include "hotel," or "motel."

- A. Single-family dwelling - a building containing only one (1) dwelling unit.
- B. Two-family dwelling - a building containing two (2) dwelling units, collectively defined under this Ordinance as a duplex, regardless of configuration.
- C. Multi-family dwelling - a building containing three (3) or more dwelling units, including apartment houses, townhouses, flats, and garden apartments.

Dwelling Unit – a building or portion thereof containing one (1) or more rooms for living purposes together with separate and exclusive cooking and sanitary facilities, accessible from the outdoors either directly or through an entrance hall shared with other dwelling units, and used or intended to be used by one (1) family.

Eating and Drinking Places – a business establishment whose principal business is the selling of unpackaged food or drink to the customer in a ready-to-consume state.

Essential Services – the erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam, water transmission or distribution systems, wastewater collection and treatment systems, or stormwater collection systems including poles, wires, mains, drains, sewers, pipes conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health and safety or general welfare, but not including buildings.

Equipment Sales and Service – businesses involved in the sale, rental, or servicing of motor vehicles or machinery not necessarily intended for registration, licensing, and travel on highways, including those used for agriculture, forestry, and construction.

Exotic Animal Raising and Care – the keeping of non-agricultural animals, or exotic wildlife as defined and regulated by the Pennsylvania Game Commission The phrase "exotic wildlife" includes, but is not limited to, all bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves and any crossbreed of these animals which have similar characteristics in appearance or features. The definition is applicable whether or not the birds or animals were bred or reared in captivity or imported from another state or nation.

Family – an individual, or two (2) or more persons related by blood, marriage, adoption or foster child care, including domestic servants or gratuitous guests, thereof, or a group of not more than three (3) unrelated persons living together without supervision in a dwelling unit; or, any number of persons protected by the provisions of the Fair Housing Act (42 U.S.C. 3601 et. seq., as now or hereafter amended) living together in a group living arrangement with supervision, provided those persons do not have a criminal record. Family shall not include persons living together in a Group Home, Assisted Living Facility, or Nursing Home, as defined herein, or any other supervised group living arrangement for persons other than those protected by the Fair Housing Act or persons who constitute a direct threat to others or their physical property.

Flea Market – a business which leases outdoor, tent or partially enclosed space to persons who wish to vend a variety of new and used goods for sale to the general public by displaying those goods on tables, in or on motor vehicles, or on the ground. This definition does not include farmers’ markets, which sell produce, flowers, and similar agricultural products.

Forestry – the management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, Pursuant to Section 603(f) of the Pennsylvania Municipalities Planning Code forestry shall be a permitted use by right in all zoning districts wherein harvesting of timber is not conducted pursuant to any land development.

Funeral Home – an enterprise which arranges for care of the dead prior to burial and planning for memorial services for the benefit of friends and family of the departed. Funeral homes do not include crematoriums, which are only permitted as part of a cemetery.

Garage Sale/Yard Sale – a temporary event to sell used household goods from a single family dwelling, an accessory building, or a yard area. Garage sales are a permitted temporary accessory to a single family dwelling, provided that no such sales shall exceed seven (7) days in duration, and no more than thirty (30) days of such sales occur within any calendar year from the premises.

Golf Course – land for playing the sport of golf or practicing driving , consisting of a minimum of nine holes or a two hundred yard driving range, but excluding miniature golf, and similar golf-associated activities except as accessory uses on a golf course.

Gross Floor Area (GFA) – the total floor area for which the tenant pays rent and that is designed for the tenant’s occupancy and exclusive use, calculated as the sum of the gross area of the several floors of a building or buildings measured from the face of the exterior walls, or from the center line of the walls separating two (2) buildings

Halfway House – a transitional residential facility licensed and operated by a government or social service agency that provides a supervised environment to residents who require psychiatric, correctional or behavioral treatment between periods of institutional and independent living. (See Family)

Heavy Industry – the manufacture, storage, processing, and treatment of materials which are potentially hazardous, or processes which produce significant amounts of smoke, noise, glare, or dust or odor as a primary or secondary effect of the principal use of the land or buildings Heavy Industry characteristically employs some of such equipment such as smokestacks, tanks, distillation or reaction columns, chemical processing equipment, scrubbing towers, pickling equipment and waste-treatment lagoons. Heavy industry, although conceivably operable without polluting the environment, has the potential to pollute when equipment malfunctions or human error occurs. Examples of heavy industry are oil refineries, basic steel manufacturing plants (such as foundries, blast furnaces, and stamping mills), industries handling animal offal or hides, basic cellulose pulp-paper mills and similar fiberboard and plywood production, production of cement and asphalt, lime manufacturing, ore and metal smelting and refining, and chemical plants such as petrochemical complexes. An incinerator structure or facility which, including the incinerator, contains five thousand (5,000) square feet or more, whether public or private, is “heavy industry” for purpose of this Ordinance, as is any electric power production plant which is a principal use, whether said power is generated by coal, natural gas, cogeneration or more than three (3) wind turbines (unless such turbines are clearly accessory and incidental to a dwelling or other business).

Height of Building – the vertical distance measured from the average level of finished grade along all the exterior walls of the building to the highest point of the roof and to the highest point on any structure which rises wholly or partly above the roof.

Home Occupation – any use customarily carried on entirely within a dwelling, by the occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and does not change the residential character thereof. Examples include, but are not limited to: professional services, such as legal, financial, accounting or engineers, barber and beauty shops, studios of artists, writers and associations. (See Professional Office)

Home- Lot Occupation – a form of light manufacturing or service or repair business conducted as accessory to a home or farm by an owner resident. This may include woodworking enterprises, repair services such as welding or machinery repair, and incidental retail sales of items generally produced on the premises. This definition may also include small-scale retail enterprises operated by an owner resident and of no greater than 3,000 square feet in size or and hours of operation of no greater than 9:00 am to 8:00 pm.

Hospital – an institution providing health services primarily for human medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities and staff offices that are an integral part of the facilities.

Junk – any discarded material or article, and shall include, but not be limited to, scrap metal, scrapped or abandoned motor vehicles, machinery, equipment, paper, glass, containers and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal. For the purpose of this Ordinance, a proper container shall mean a solid plastic or metal container, with a sealable lid, specifically designed for the storage of waste matter.

Junk Yard – any place where any junk is stored, disposed of, or accumulated. This definition shall include recycling centers, recycling yards, and salvage businesses and vehicles lacking current inspection or registration except for storage in conformity with Ordinance No. 1 of 1965. However, it does not include municipal recycling centers where no materials are stored in an exterior environment.

Landscaping, Nursery and Farm Markets – a business involved in the outdoor sale of garden supplies, retail plants, or bulk materials such as mulch, topsoil and stone. These businesses may include greenhouses and agricultural activities, or storage of equipment for installing landscaping at other sites as well as retail sales or wholesale. This definition also includes farm markets that do not produce agricultural products upon the premises.

Light Industry – the assembly, fabrication, manufacture, production, processing, storage and/or wholesale distribution of goods or products where no process involved will produce: noise, light, vibration, air pollution, fire hazard, or emissions, noxious or dangerous to properties within four hundred (400) feet, including production of the following goods: Home appliances; electrical instruments; office machines; precision instruments; electronic devices; time pieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition, machine tools; dies and gauges; ceramics; apparel; light weight nonferrous metal castings; light sheet metal products; plastic goods; pharmaceutical goods; food products (but not including animal slaughtering, curing nor rendering of fats).

Lot – a tract or parcel of land, regardless of size, held in single or joint ownership, which is occupied or capable of being occupied by buildings, structures, and accessory buildings, including such open spaces as are arranged, designed or required. The term "lot" shall also mean "parcel," "plot," "site," or similar term.

Lot, Corner – a lot at the point of intersection of and abutting on two (2) or more intersecting streets.

Lot, Flag – a lot which has a narrow strip connecting the lot to a public road in order to provide owned access to the main part of the lot. The access strip shall be a part of that lot but shall not be used in computing the minimum lot area. No structure may be placed within the access strip except for driveways, vehicle parking, fencing or a lawful sign.

Lot, Line – any line dividing a lot from another lot or from an abutting street right-of-way.

Mineral Extraction – mineral extraction shall include all activity which removes from the surface or beneath the surface of the land some material mineral resource, natural resource or other element of economic value, by means of mechanical excavation necessary to separate the desired material from an undesirable one; or to remove the strata or material which overlies or is above the desired material in its natural condition and position. Open pit mining includes, but is not limited to, the excavation necessary to the extraction of: sand, gravel, topsoil, limestone, sandstone, coal, clay, shale and iron ore.

Minerals – any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, lime stone and do lo mite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

Mobile Home – a transportable, single-family dwelling intended for permanent occupancy, contained in one (1) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobile Home Lot – a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Mobile Home Park – a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two (2) or more mobile home lots.

Motel or Hotel – a building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for travelers. The definition includes hotels, motor lodges, cottages with full bath and toilet, and similar uses.

No Impact Home-Based Business – a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery, or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the requirements of Section 508 and the definition in Article I of the Pennsylvania Municipalities Planning Code to qualify as an accessory permitted use.

Nonconforming Lot – a lot the area or dimension of which was lawful prior to the adoption or amendment of this Zoning Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Nonconforming Structure – a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions of this Ordinance or an amendment hereafter enacted, where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming Use – a use, whether of land or structure, which does not comply with the applicable use provisions of this Ordinance or amendment hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation.

Nursing Home – a facility to give long-term skilled care to geriatric or handicapped patients and licensed as such a facility by the Commonwealth of Pennsylvania. For the purposes of this Ordinance, a nursing home, as licensed by the Commonwealth of Pennsylvania may also include personal care or assisted living options.

Open Air Entertainment – a facility that has amplified music performances in an outdoor setting. This category does not include annual or seasonal festivals held by nonprofit community organizations, or businesses, which may include occasional accessory or incidental outdoor performances.

Parking Space – an open space with a dustless all-weather surface, or space in a private garage or other structure with an effective size for the storage of one (1) automobile and accessible from a public way.

Personal Care Home – a facility giving geriatric care in a home-like setting or a facility licensed as such by the Commonwealth of Pennsylvania.

Personal Services – any enterprise conducted for man, which primarily offers services to the general public, such as: shoe repair, valet services, watch repairing, barber shops, beauty parlors and related activities.

Place of Worship and Assembly – a place of religious instruction or public gathering, which may include incidental instruction, office and charitable activities. Examples include Churches, Synagogues, Mosques and temples, government assembly halls, indoor museums and libraries. This definition does not include a public school, university, college, trade or commercial school, day care services, or any form of group residence or halfway house.

Planning Code – the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as re-enacted and amended by Act No. 170 of 1988 and Acts 67 and 68 of 2000, and as further amended from time to time.

Private Clubs – buildings and related facilities owned and operated by an association or group of individuals established for fraternal, social, educational, conservation, recreational or civic benefit of members. Full access to facilities is typically restricted to members and their guests. Facilities may include a clubhouse, dining facilities, golf courses, swimming, tennis, non-commercial shooting ranges,

primitive camping, or cabins. For the purposes of this Ordinance, this definition does not include miniature golf, golf driving ranges, paintball, commercial hunting, commercial motor sports, or other uses defined by this Ordinance as various forms of commercial recreation.

Professional Office – the office or studio of a physician, surgeon, dentist, lawyer, architect, artist, engineer, certified public accountant, real estate broker or salesman, insurance broker or agent, musician, teacher, or similar occupation.

Public Parks and Playgrounds – parks and playgrounds that are owned and operated by the Township of Cambridge or by an authority created for such purposes by the Township of Cambridge or by any government agency.

Public Utility Building or Structure – a building or other structure for water supply or wastewater treatment or the production of electricity, steam, hot water or chilled water for consumption by the general public.

Recreational Campground – an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins (which may lack plumbing or toilet facilities) tents, and recreational vehicles.

Self Service Storage Facilities – a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

Service and Repair Business – a form of equipment service or repair which may include woodworking enterprises, repair services such as welding, vehicle or machinery repair, and incidental fabrication or retail sales of items

Service Station – an area of land, together with any structure thereon, used for the retail sale and dispensing of motor fuel, and lubricants and incidental services, such as lubrication and washing of motor vehicles, and the sale, installation or minor repairs of tires, batteries or other automobile accessories.

Sanitary Landfill – a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Screen Planting – screen planting for this Ordinance shall mean an evergreen hedge at least six (6) feet high at time of planting, planted in such a way that it will block a line of sight. The screening may consist of either one (1), or multiple rows of bushes or trees and shall be at least four (4) feet wide. It shall be the responsibility of the property owner to maintain a screen planting, replacing trees as needed. The Zoning Officer may require replacement of screening trees.

Screening – screening shall mean a fence, screen planting or wall at least six (6) feet high, provided in such a way that it will block a line of sight.

Shopping Center – a commercial facility developed as a mixture of uses, including retail sales, theaters, personal services and eating and drinking places, but planned, constructed, managed or promoted as an integral whole.

Sign – any structure, building, wall, or other outdoor surface, or any device or part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device, or other representations used for announcement, direction, advertisement or identification.

Sign Area – the area of the smallest geometric figure which comprises the sign face.

Sign, Business – a sign that directs attention to a business, profession or industry conducted on the premises or to products sold, manufactured or assembled upon the same premises upon which it is displayed.

Sign, Changeable Copy – a sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or re-arranged manually with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

Sign, Electronic – a sign or portion thereof that displays electronic alphanumeric, video or graphic information using different combinations of single color light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area, and capable of changeable copy or images. Electronic signs include computer programmable, microprocessor, video screens, or other remotely controlled electronic displays. Electronic signs do not include official highway warning devices or time and temperature signs with no other content. Electronic signs include projected images or messages with these characteristics onto buildings or other objects.

Sign Face – the surface upon, against or through which the sign letters, numbers, symbols, or other representations are displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural thematic or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

Sign, Multi-vision – a billboard sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

Sign, façade, fascia, or wall – a sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.

Sign, Freestanding – a sign principally supported by one or more columns, poles, or braces placed in or upon the ground.

Sign, Projecting – a sign other than a Wall Sign that is attached to or projects more than eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

Sign, Roof – a sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs.

Sign, Sandwich Board – a temporary sign created by attaching two sign faces at a single point, intended to be self-supporting.

Sign, Window – a sign affixed to the surface of a window with its message intended to be visible to exterior environment.

Special Exception – a use permitted with special permission granted by the Zoning Hearing Board, to occupy or use land and/or a building for specific purposes in accordance with the criteria set forth in this Ordinance when such use is not permitted by right.

Story – that portion of a building located between the surface of any floor and the next floor above; if there is not more than one (1) floor the space between any floor and the ceiling next above it shall be considered a story.

Street – a public or private right-of-way, excluding driveways, intended for use as a means of vehicular and pedestrian circulation, which provides a means of access to abutting property. The word "street" includes thoroughfare, avenue, boulevard, court, drive, expressway, highway, lane, alley and road or similar terms. It shall also include a "private road".

Street Line – a line defining the right-of-way boundaries of a street.

Structure – any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Tract, or Parent Tract – a single undivided parcel of land existing on the date this Ordinance become effective.

Truck Terminal – land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another, or a wholesale enterprise. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

Transitional Housing Facility – a structure whose principal use is to provide shelter for more than a 12 hour period to two (2) or more persons who are homeless, subject to abuse, under a protection from abuse order, or whom otherwise need transitional housing, but are not persons in group housing due to being adjudicated a juvenile delinquent, having a criminal record, or have a status as a sex offender, or persons who currently use illegal drugs, or persons who have been convicted of the manufacture or sale of illegal drugs, or persons with or without disabilities who present a direct threat to the persons or property of others. (See also Halfway House)

Veterinary Clinic – a facility used for the treatment of domestic animals for pay with health treatment provided by a licensed veterinarian.

Warehousing and Distribution – a use engaged in storage, wholesale, and distribution of manufactured product, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions. For the purpose of this Ordinance, storage of explosive, inflammable, hazardous or community-recognized offensive conditions shall be considered heavy industry.

Yard – that portion of a lot that is unoccupied and open to the sky and extends from the lot line or right-of-way to a setback or yard line.

Yard, Front – a setback line from an adjacent street right-of-way extending for the full width of the lot.

Yard, Rear – a yard between the rear lot line and a line drawn, parallel thereto at such distance as may be specified herein for any zoning district, and extending for the full width of the lot.

Yard, Side – an open yard space between the side lot line and parallel thereto extending from the front lot line to the rear lot line.

Zoning Officer – the Zoning Officer of the Township of Cambridge, or his/her authorized representative.

Article III
Establishment of Zoning Districts

Section 300 – Purpose.

The purpose of this Article is to establish Zoning Districts where compatible uses of land may be located and grouped at appropriate densities to fulfill the community development goals and objectives and implement the Comprehensive Plan.

Section 301 – Establishment of Districts.

301.1 Pursuant to Section 103 of this Ordinance, the whole of Cambridge Township is hereby divided into the following classes of districts with the designations and general purpose outlined within the specific tables for each district within this Article.

301.2 For each district, a table of permitted and conditional uses is established. The permitted uses, conditional uses, and special exceptions for each district are shown in the following tables of this chapter and are considered principal uses unless clearly noted.

301.3 Permitted uses shall be determined by the Zoning Officer, who shall determine the application against all standards for lot size, yard areas, parking, signs, and any additional applicable regulations.

301.4 Conditional uses may be granted or denied by the Board of Supervisors with the advice of the Planning Commission in accordance with the express standards and criteria of this chapter. Express criteria and standards for each conditional use may be found in the reference number cited under Article III. In granting a conditional use, the Supervisors may attach reasonable conditions as they may deem necessary to implement the purposes of this chapter and safeguard the neighborhood. Uses in each category shall be according to the common meaning of the term, or according to definitions set forth in Article II.

Section 302 – A – Agricultural District

302.1 – Purpose. The Agricultural District includes areas that are actively farmed, Agricultural Security Areas, and soils conducive to agriculture. The intent of this District is to encourage the retention and expansion of existing agricultural activities and restrict conflicting non-farm land uses.

TABLE 302A – A – AGRICULTURAL DISTRICT LIST OF USES	
PERMITTED USES	CONDITIONAL USES
Forestry (See Section 503)	Exotic Animal Raising and Care (See Section 512)
Agricultural Operations (See Section 520)	Campgrounds/Recreational Vehicle Parks (See Section 513)
Places of Worship and Assembly	Private Clubs
Agricultural Sales and Services, including processing and retail sales of agricultural products (See Section 507)	Communication Towers (See Section 514)
Nursery and Landscaping (See Section 504)	Intensive Outdoor Commercial Recreation (See Section 515)
Single-Family Dwellings	Mineral Excavation/Oil and Gas Development Operations (See Section 516)
No Impact Home-Based Businesses (See Section 508)	Sanitary Landfills (See Section 517)
Family and Group Day Care Homes (See Section 505)	Open Air Entertainment Facility (See Section 518)
Bed and Breakfast Inns (See Section 506)	Major Subdivision; or creation of more than 3 lots of less than 10 acres in size within a five year period from one tract or parcel (See Section 519)
One Accessory Dwelling/2 nd dwelling on one lot (See Section 502)	
Home Occupation and Home Lot Occupation (See Section 508)	
Commercial Stables, Veterinary Clinics and Dog Kennels (See Section 509)	
Public Parks and Playgrounds	
Sawmills (See Section 510)	
Cemeteries (See Section 511)	
Golf Courses and Driving Ranges	
ACCESSORY USES – SEE ARTICLE 4	

**TABLE 302B – A - AGRICULTURAL DISTRICT
LOT, YARD, AND HEIGHT STANDARDS***

Standard	All Uses except where otherwise noted	Cemeteries, Sawmills, Golf Courses, Driving Ranges, Commercial Stables and All Conditional uses (unless larger lots are required for specific uses)
Minimum Lot Area (Acres)	2 Acres	3 Acres
Minimum Lot Width (Feet)	200	200
Minimum Front Yard (Feet)	50 Feet from right of way	50 Feet from right of way
Minimum Side Yard (Feet)	30	30
Minimum Rear Yard (Feet)	75	75
Maximum Height (Feet)	35	35
Maximum Lot Coverage by Percent	10%	15%

Section 303 – RR – Residential District

303.1 – Purpose. The purpose of the Residential District is to encourage low density development in areas with no concentration of farm operations and where development is constrained by the land itself.

TABLE 303A – RR – RESIDENTIAL DISTRICT LIST OF USES	
PERMITTED USES	CONDITIONAL USES
Forestry (See Section 503)	Agricultural Operations (See Section 520)
Single-Family Dwellings	Cluster Subdivision (See Section 519)
Places of Worship and Assembly	Home Lot Occupation (See Section 508)
No Impact Home-Based Businesses (See Section 508)	Mobile Home Parks (See Section 521)
Family Day Care Homes (See Section 505)	
Home Occupation (See Section 508)	
ACCESSORY USES – SEE ARTICLE 4	

TABLE 303B – RR – RESIDENTIAL DISTRICT LOT, YARD, AND HEIGHT STANDARDS*		
Standard	All Uses except where otherwise noted	All Conditional uses (unless larger lots are required for specific uses)
Minimum Lot Area (Acres)	1.5	3
Minimum Lot Width (Feet)	200	200
Minimum Front Yard (Feet)	50 Feet from right of way	50 Feet from right of way
Minimum Side Yard (Feet)	30	30
Minimum Rear Yard (Feet)	75	75
Maximum Height (Feet)	35	35
Maximum Lot Coverage by Percent	15%	20%

Section 304 – R-1 – Suburban Residential District

304.1 – Purpose. The purpose of the Suburban Residential District is to accommodate medium density, single family residential development adjacent to Cambridge Springs Borough that makes extension of public water and sewer feasible.

Table 304A – R-1 – SUBURBAN RESIDENTIAL DISTRICT LIST OF USES	
PERMITTED USES	CONDITIONAL USES
Essential Services	Home Occupations (See Section 508)
Forestry (See Section 503)	Two Family Dwellings (See Section 522)
No Impact Home-Based Businesses (See Section 508)	Agricultural Operations (See Section 520)
Place of Worship and Assembly	Public Utility Buildings and Structures (See Section 523)
Public Parks and Playgrounds	Cluster Subdivision (See Section 519)
Single-Family Dwellings	Family and Group Day Care (See Section 505)
	Public and private elementary and secondary schools recognized by the Commonwealth (See Section 524)
ACCESSORY USES – SEE ARTICLE 4	

TABLE 304B – R-1 – SUBURBAN RESIDENTIAL DISTRICT LOT, YARD, AND HEIGHT STANDARDS*				
Area is Given in Acres or Square Feet	Single Family Dwellings with On-Lot Water or Sewer	Single Family Dwellings With Public Sewer	Single Family Dwellings With Public Sewer and Water	Place of Worship, Agriculture Public Parks, All other Uses
Minimum Lot Area (Square Feet)	30,000	20,000	15,000	1.5 Acres
Minimum Width of Lot (Feet)	125	100	1,000	200
Minimum Depth of Front Yard (Feet from Right of way)	30	30	30	30
Minimum Width of each Side Yard (Feet)	20	15	15	20
Minimum Depth of Rear Yard (Feet)	20	20	20	10
Maximum Height (Feet)	35	35	35	45
Maximum Lot Coverage by Percent	15%	20%	25%	25%

Section 305 – R-2 – General Residential and Institutional District

305.1 – Purpose. The purpose of the General Residential and Institutional District is to accommodate residential development at a variety of densities adjacent to Cambridge Springs Borough that makes extension of public water and sewer feasible, and a host of institutional uses that require similar access to infrastructure.

305A – R-2 – GENERAL RESIDENTIAL AND INSTITUTIONAL DISTRICTS LIST OF USES	
PERMITTED USES	CONDITIONAL USES
Forestry (See Section 503)	Communication Towers (See Section 514)
Public and private elementary and secondary schools recognized by the Commonwealth including accessory residential, office, recreational, maintenance and medical facilities. (See Section 524)	Hospitals, Nursing Homes, Personal Care Homes and Assisted Living Facilities (See Section 525)
Essential Services	Multiple Family Dwellings (See Section 522)
Places of Worship and Assembly	Colleges and Universities, including classrooms, administrative and support buildings (See Section 526)
Single Family Dwellings	Cluster Subdivision (See Section 519)
Two Family Dwellings (See Section 522)	
Public Parks and Playgrounds	
Professional Offices	
No Impact Home-Based Businesses (See Section 508)	
Home Occupations (See Section 508)	
Municipal and Public Utility Buildings and Structures, including volunteer fire company stations and ambulance stations	
ACCESSORY USES – SEE ARTICLE 4	

305B R-2 District Table of Uses (All uses must connect to Public Water and Sewer)

**305B – R-2 – GENERAL RESIDENTIAL AND INSTITUTIONAL DISTRICTS
LOT, YARD, AND HEIGHT STANDARDS**

Area is Given in Acres or Square Feet	Single Family Dwellings With Public Sewer and Water	Place of Worship, Agriculture Public Parks, All other Uses	Two Family and Multiple Family Dwellings
Minimum Lot Area (Square Feet)	15,000	1 Acre	12,000 square feet per each dwelling unit
Minimum Width of Lot (Feet)	1,000	150	150
Minimum Depth of Front Yard (Feet from right of way)	30	40	40
Minimum Width of each Side Yard (Feet)	15	20	25, increased to 40 feet for multiple family dwellings abutting any single family dwelling
Minimum Depth of Rear Yard (Feet)	20	10	25, increased to 40 feet for multiple family dwellings abutting any single family dwelling
Maximum Height (Feet)	35	45	45
Maximum Lot Coverage by Percent	25%	30%	30%

Section 306 – C – Commercial District

306.1 – Purpose. The Commercial District is established to provide a full range of commercial opportunities in areas of the Township where highway access and infrastructure are present to support business development.

Table 306A – C – COMMERCIAL DISTRICT LIST OF USES	
PERMITTED USES	SPECIAL EXCEPTIONS
All Agricultural District (A) Permitted Uses	Flea Markets (See Section 531)
Artisan and Craftwork (See Section 527)	Outdoor Commercial Recreation (See Section 532)
Auto and Equipment Sales and Services (See Section 528)	Public Utility Buildings and structures (See Section 523)
Building Material and Supply Yards (See Section 529)	Self Service Storage Facility (See Section 533)
Business and Financial Services	Transitional Housing Facility (See Section 534)
Car Wash	Hospitals, Nursing Homes, Personal Care Homes and Assisted Living Facilities (See Section 525)
Convenience Store/Gasoline Service Station (See Section 530)	
Day Care Centers (See Section 505)	
Eating and Drinking Places	
Essential Services	
Forestry (See Section 503)	CONDITIONAL USES
Funeral Homes	Retail Business and Shopping Centers greater than 80,000 square feet Gross Floor Area (See Section 535)
Indoor Commercial Recreation	
Motels and Hotels	
Personal Services	
Professional Offices	
Retail business and Shopping Centers: Of less than 80,000 square feet Gross Floor Area	
Theaters	
ACCESSORY USES – SEE ARTICLE 4	

**TABLE 306B – C – COMMERCIAL DISTRICT
LOT, YARD, AND HEIGHT STANDARDS**

Area is Given in Acres or Square Feet	With Public Sewer	With On-lot Sewer
Minimum Lot Area (Square Feet)	20,000	1 Acre
Minimum Lot Width (Feet)	100	150
Minimum Front Yard (Feet)	50	40
Minimum Side Yard (Feet)	15	20
Minimum Rear Yard (Feet)	20	10
Maximum Height (Feet)	40	45
Maximum Lot Coverage by Percent	40%	30%

Section 307 – I-1 – Industrial and I-2 Industrial Park Districts

307.1 – Purpose. The I-1 Industrial District is established to provide appropriate areas for forms of manufacturing and similar high-intensity uses that can have a higher impact upon surrounding properties.

307.2 – Purpose. The I-2 industrial Park District is established as a district where the permitted uses only in the I-1 district may be established to ensure that light industrial and associated commercial activities can be maintained in a lower intensity park-like setting.

TABLE 307A – I-1 INDUSTRIAL AND I-2 INDUSTRIAL PARK DISTRICTS – LIST OF USES	
PERMITTED USES FOR BOTH I-1 AND I-2 DISTRICTS	CONDITIONAL USES (ALLOWED IN I -1 DISTRICT ONLY)
Artisan and Craftwork (See Section 527)	Communications Towers (See Section 514)
Auto and Equipment Sales and Services (See Section 528)	Heavy Industry (See Section 536)
Building Material and Supply Yard (See Section 529)	Junk Yards, Salvage and Recycling Centers (See Section 537)
Business Services and Financial Services	Mineral Excavation/Oil and Gas Development (See Section 516)
Forestry (See Section 503)	Bulk Fuel Storage (See Section 538)
Light Industry	Correctional Facility and Halfway Houses (See Section 539)
Place of Worship and Assembly	Adult Entertainment Uses (See Section 540)
Professional Offices	Transitional Housing Facility (See Section 534)
Public Utility Buildings	
Research Lab	
Self Service Storage Facility (See Section 533)	
Truck Terminals and Warehousing	
ACCESSORY USES AND STRUCTURES – SEE ARTICLE 4	

**TABLE 307B I-1 and I-2 DISTRICTS
LOT, YARD, AND HEIGHT STANDARDS**

	IP District	I District
Minimum Lot Area	30,000 Square Feet	2 acres
Minimum Lot Width (Feet)	150	200
Minimum Front Yard (Feet from right of way)	50	50
Minimum Side Yard (Feet)	20	40
Minimum Rear Yard (Feet)	20	50
Maximum Height (Feet)	45	45
Maximum Lot Coverage by Percent	50%	50%

Article IV
Supplemental Restrictions

Section 401 – Non-Conforming Uses, Lots, and Structures – Except as otherwise provided in this Section, the lawful use of buildings or land existing at the effective date of this Ordinance may be continued although such use does not conform to the provisions of the Zoning District where the non-conforming use is found. The casual, intermittent or temporary use of land or buildings shall not be sufficient to establish the existence of a non-conforming use and the existence of a non-conforming use on a part of a lot or tract of land shall not be construed to establish a non-conforming use on an entire lot or tract of land.

401.1 A non-conforming use may be changed to another non-conforming use of the same kind upon application to and approval of the Zoning Hearing Board. Such approval shall be granted or denied only after a public hearing and determination by the Board that the proposed use will be no more detrimental to the neighborhood and surroundings than the use it is to replace. Whenever a non-conforming use of land or building has been changed to a more restrictive use or to a conforming use, the use of land shall not revert to a non-conforming use.

401.2 The non-conforming use of a building shall not be extended or enlarged, unless the Zoning Hearing Board shall, as a special exception, authorize the extension. In no case shall such authorization be granted if it is considered detrimental to the character of the neighborhood and surroundings or the interest of the Township.

401.3 Whenever a non-conforming use of buildings or land, or any part or portion thereof, has been discontinued for a period of one year, such non-conforming use shall not thereafter be reestablished and all future uses shall be in conformity with the provisions of this Ordinance.

401.4 Non-Conforming Structures. A non-conforming structure being used, or proposed to be used, for a conforming purpose may continue and may be altered or extended, provided such alteration or extension does not increase the degree of non-conformity in use or in any other aspect.

401.5 A non-conforming structure being used for a conforming purpose which has been seriously damaged or destroyed by fire, flood, or other causes, may be reconstructed in its former location and to its former dimensions and used for the same purposes for which it was used before its damage or destruction, provided that such reconstruction shall be commenced within one year from the date of damage or destruction and shall be completed within one year thereafter.

401.6 Non-Conforming Lots. A lot held in a single and separate ownership at the effective date of this Ordinance which is not of the required minimum area or width may be used for the construction, alteration or reconstruction of a structure conforming to the use regulations of the district in which it is to be located. Variance from other yard requirements shall be obtained only through the action of the Zoning Hearing Board.

401.7 No lot area shall be so reduced that the area of the lot becomes smaller than the dimensions prescribed by the provisions of the Zoning District within which the lot is located.

Section 402 – Development Performance Standards

402.1 Slopes – All areas with a slope of 25 percent or greater shall be planted with ground cover to stabilize the slope.

Section 403 – Fences. For the purpose of this Ordinance, fences shall be defined as follows: Fences, hedges, and screened plantings along with any artificially constructed barrier of wood, masonry, stone, wire, metal or any other manufactured material or combination of materials, erected for the purpose of screening areas from adjacent properties. The regulations apply to all districts, with the exception of PA Correctional Facility property.

403.1 Applicable Provisions -

- A. In no case shall razor wire, spikes, chipped glass, electricity or similar materials or devices be used with or as a part of any fence.
- B. No fence shall be permitted which is expressly designed with the intent to injure anyone who attempts to climb such a fence.
- C. No fence shall be erected to exceed 8 feet in height.
- D. Fences, hedges and screened plantings shall be installed or planted in relation to the property line so as not to interfere with adjacent properties and their access to the street, including the duration of required maintenance.

403.2 Zoning Certificate Required for Fencing.

- A. Except as provided by 408.4, an owner desiring to erect a fence on his property shall first obtain a zoning certificate from the Zoning Officer.
- B. Application for such certificate shall include the name of the property owner, address of the property where the fence is to be erected, and a description and specification of the fence including size, height, dimensions and materials.

403.3 Maintenance. Every fence or part thereof, shall be maintained in sound condition and good repair and must stand erect.

403.4 Exceptions for zoning certificate for Fencing.

- A. Fences that pertain to farm operations or residents in Agricultural Districts are exempt from the requirements of this Ordinance except that no fence may be erected that has the intent of injuring any person.
- B. All other types of fences not mentioned in this Ordinance may be used if in the opinion of the Zoning Officer the specifications are equivalent to this Ordinance and do not circumvent the intent of this Ordinance.

404 – Storage of Recreation Vehicles.

404.1 Intent. The intent of this Section is to provide for the storage of recreational vehicles, boats, boat trailers, converted vans and buses so that such storage does not create safety and/or sanitary hazards.

404.2 Definition of Recreational Vehicle. A vehicle designed primarily as temporary living quarters for recreational, camping or travel use and would include travel trailers, camping trailers, truck campers, motor homes, converted vans or buses, boats or boat trailers.

404.3 Except where expressly permitted, use of a recreational vehicle as a permanent dwelling is prohibited. A recreational vehicle, as defined by this Ordinance, shall not be used as a temporary or permanent dwelling and shall not be used for living or housekeeping purposes when parked in any district of Cambridge Township.

404.4 Parking. A recreational vehicle, as defined by this Ordinance, may be parked temporarily on drive-ways for a period of not to exceed 120 days for purposes of loading and unloading, guest parking and maintenance.

405 – Minimum Floor Area Requirement.

405.1 Minimum Floor Area Requirement for Detached Dwellings. No single family detached dwelling shall have a floor area of less than four hundred (400) square feet. Basements shall not be included in accounting for this requirement.

406 – Accessory Uses and Structures.

406.1 Use of Accessory Buildings. Where this Ordinance provides that a lot may be used or a building or structure may be erected, altered, or used for the purpose, that purpose shall include any accessory building or structure or accessory use, which may include any structures to receive and/or store energy directly from the sun, but shall not include:

- A. Any occupation for gain or profit conducted within a dwelling unit except as may be permitted in this Ordinance;
- B. Any building used for human habitation except as may otherwise be permitted in this Ordinance.

406.2 Height (Accessory Structures). Height shall be consistent with the regulations in the applicable zoning district.

406.3 Location (Accessory Structures). Except as otherwise provided, any accessory building or structure which is not an integral component of the main building shall be erected to the rear of the required front yard and shall comply with the yard and setback provisions of the district in which such building or structure is situated. Accessory structures such as satellite dishes greater than four feet in

diameter and/or central air conditioning units, shall be located to the rear of the main building and shall comply with the accessory structure setback requirements of the appropriate district.

406.4 Permitted Accessory Uses.

Accessory uses shall be allowed as consistent with Table 406.4. Accessory uses that require a UCC permit or are considered an improvement for the purposes of Crawford County property taxes shall apply for and receive a building permit or zoning certificate. Other accessory uses shall be permitted provided they can be shown to be customarily incidental and subordinate to a permitted use and they shall be located on the same lot as the principal use. All accessory uses are also subject to lot and use standards specified in Article III.

Table 406.4 Use Class	Typical incidental and accessory uses
All Uses	Parking and driveways, lawful signs, solid waste storage areas, gardening and landscaping, small storage sheds for property maintenance, small recreational and play structures, religious symbols, walls, fences, lamp posts, necessary stormwater management structures
Agriculture	Buildings and structures for storage of machinery, equipment, and livestock, fences, grain or forage storage and treatment structures, manure management structures, water storage and irrigation, structures and uses for on farm sales of items produced upon the premises, exterior fuel and fertilizer tanks
Single Family Dwellings	Residential garages (noncommercial for storage and repair of vehicles), swimming pools, gazebos, storage sheds, home gardening and noncommercial greenhouses, dog kennels, home play or exercise equipment, home communication reception devices
Multiple Family Dwellings	All single family accessory uses plus laundry facilities, and community recreation buildings for residents of a development
Retail and Service Business	Drive in and drive through facilities, business communication reception devices
Industry	Buildings for grounds maintenance, small storage sheds, exterior fuel tanks for fueling vehicles, loading docks and bays, outdoor scales, storage silos for noncombustible, and non-explosive materials

406.5 Accessory Structures.

The location and encroachment for permitted accessory structures and uses shall be dependent upon whether it is defined as temporary or permanent. The permitted encroachment for the following accessory structures/uses is outlined below. All permanent, permitted accessory structures/uses shall be located within the minimum yard setback permitted within the specific Zoning Districts, outlined in Article III – Establishment of Zoning Districts. Permitted projections in required front yard, rear yard, and side yards requirements are given for each Zoning District in the Township. Except for specified projections and obstructions listed below, every part of the required yard shall be open and

unobstructed to the sky. The following table (Table 406.5) outlines the permitted accessory structure/use yard projections into the front, rear and side yards.

Table 406.5 – Permitted Accessory Structure/Use Yard Projections			
	Front Yard	Side Yard	Rear Yard
Apparatus or Architectural Structures – required for the efficient operation of solar energy systems, including but not limited to overhangs, insulating walls and roofs, solar collectors or reflectors	✓	✓	✓
Arbor or Trellis	✓	✓	✓
Air Conditioning Unit		✓	✓
Awnings or Canopies – for windows, porches, or doors	✓	✓	✓
Balconies – open	✓	✓	✓
Chimneys	✓	✓	✓
Cornices, Eaves, Belt Courses, Sills, One-story Bay Windows, etc.	✓	✓	✓
Fences, Walls, and Hedge Plantings – less than 4 feet in height subject to additional restrictions outlined in Section 403	✓	✓	✓
Fences, Walls, and Hedge Plantings –greater than 4 feet in height, and subject to additional restrictions outlined in Section 403		✓	✓
Fire Escapes – open or enclosed		✓	
Flag Poles	✓	✓	✓
Lawn Furniture – benches, sundials, birdbaths, etc.	✓	✓	✓
Off-Street Loading Spaces – open			✓
Ornamental Light Standards	✓	✓	✓
Playground and Laundry Drying Equipment		✓	✓
Porches – 1 and 1 ½ story, open with or without roof	✓	✓	✓
Signs and Nameplates – as regulated by ordinance	✓	✓	✓
Steps and Landings – wooden and concrete attached to principle structure, no roof or support posts	✓	✓	✓
Recreational type such as, but not limited to Basketball, Tennis, & Volleyball			✓
Terraces and Patios – open	✓	✓	✓
Tool sheds and Other Similar Storage Structures – for storage of materials accessory to principle permitted use (Less than 100 square feet)		✓	✓

406.6 Private/Public Swimming Pools. A swimming pool shall be permitted as an accessory use in all districts providing the swimming pool is:

- A. Located, including any paved areas, a minimum of 10 feet from any side or rear property line of the property on which it is located; and
- B. Walled or fenced to prevent uncontrolled access by persons, particularly children, from adjacent areas; said fence or wall shall not be less than 4 feet in height, and maintained in good condition with a gate and lock; this requirement shall be considered as complied with where the pool deck is constructed in such a manner as to be a minimum of 4 feet above ground level.
- C. Any accessory structures which are part of the swimming pool development shall be located within the minimum yard setback permitted within the specific Zoning District.
- D. All public pools must also meet any applicable State and Federal regulations.

406.7 Temporary Structures and Residences.

- A. Construction trailers are permitted in all districts for use as offices during the period construction work is covered under a valid Zoning Certificate but they may not be used as living quarters.
- B. Mobile homes may be permitted as living quarters on construction sites for the period of time the construction process is carried on providing this arrangement is approved as a special exception. Maximum time this living arrangement shall be permitted is a total of 3 years. A temporary residence will require an annual permit with a total of 2 renewals in order to maintain the focus of the "temporary" residence.
- C. Tent, Truck and Temporary Sales Activities. The following regulations shall apply to the erection of tents for any event; the use of trucks for sales activity; and yard, tag or garage sales, referred to herein as "temporary retail sales" as applicable.
 - 1. Tents erected for community or family events, auctions or residential yard and garage sales need not obtain a zoning certificate provided that temporary structures are removed within five (5) days of erection, and yard and garage sales do not last more than Five (5) contiguous days. Where the proposed tent, truck used for retail sales, or other temporary sales event will remain in place for more than five days, a zoning certificate permit for a temporary use must be obtained. Food trailers and food trucks operating as eating or drinking places may remain in place indefinitely, provide they meet all use and setback standards for the zone district and the vehicle or trailer remains licensed for travel upon public roads. In such cases, a temporary use zoning certificate shall be obtained and renewed every six (6) months.
 - 2. The Applicant shall show the location of all temporary signs emplaced in conjunction with the sale, and pay a deposit in an amount established by the Township fee resolution to ensure all signs are removed upon conclusion of the sale.
 - 3. If the property owner is not the sponsor of the sales event, the applicant shall have written permission of the property owner.

4. No part of any operation shall be located within any required yard or setback.
5. The event shall not impede or adversely affect vehicular or pedestrian traffic sight distance, flow or parking maneuver. The driveway shall be clearly delineated and if necessary, show any PennDOT approval and/or adequate site distance. No such exempt tent or truck shall block any vehicular line of site on a public street. (Moved from above)
6. Unless clearly accessory to another retail operation, the maximum duration of any tent or other temporary retail sale shall be fourteen (14) calendar days. No tent sale shall be held upon the same property for thirty (30) days after said event, unless conditional use approval as a flea market is obtained.
7. The applicant shall have sufficient secure trash receptacles on site for all waste generated by the retailer or anticipated customer use.
8. All signs, merchandise, equipment used in such sales, and all debris and waste resulting from a temporary sale shall be removed from the premises within three days of the termination date of the permit.

407 – Access Drives and Off-Street Parking Areas.

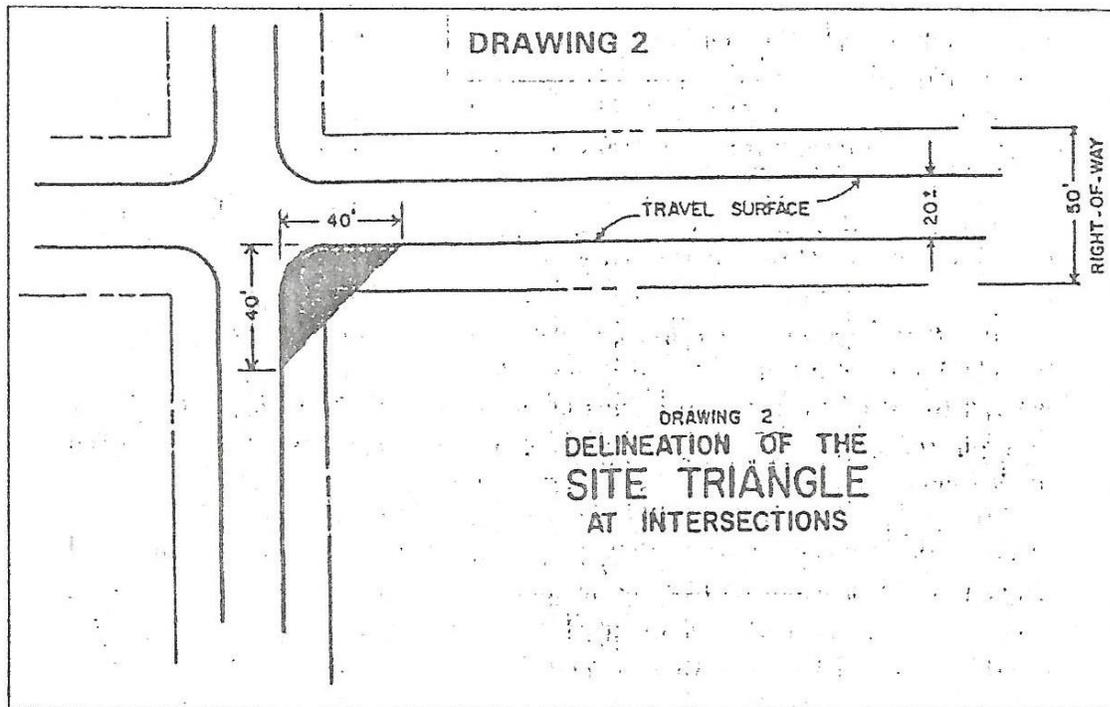
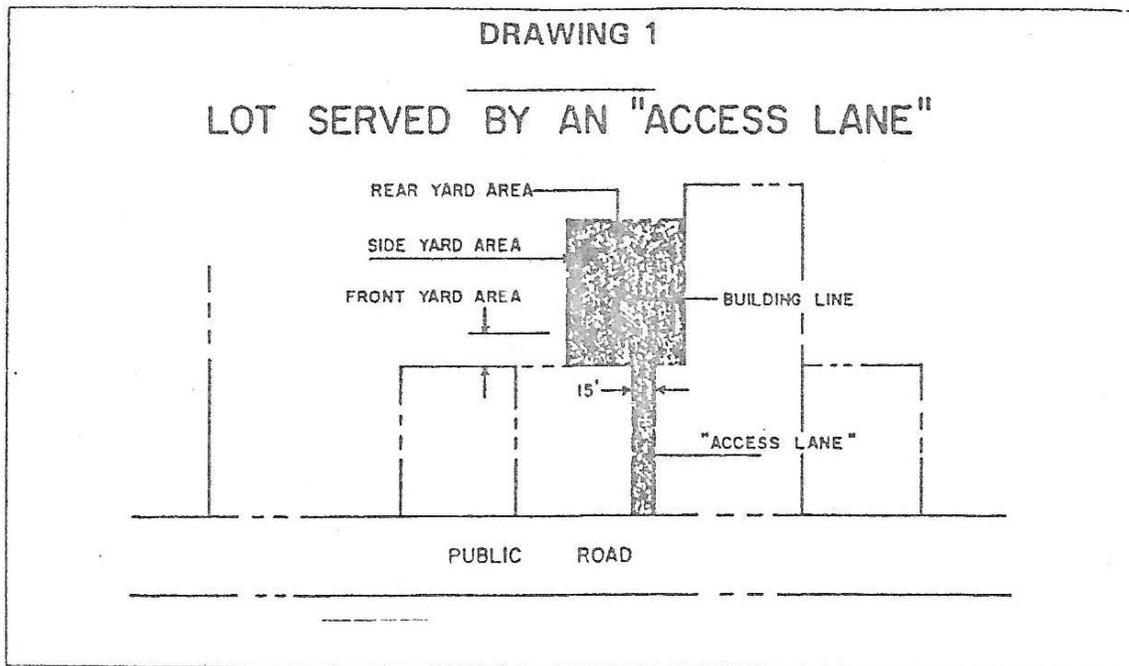
Access drives and off-street parking areas shall be planned and constructed in a manner so that vehicles preparing to leave the site may conveniently turnaround on the said site. Vehicles shall re-enter the public right-of-way from a forward position. This requirement is applicable to access drives from all public roads classified as minor arterial, major collector and minor collector roads in the Township's Comprehensive Plan.

407.1 Access to Lots. No building development shall hereafter be erected on a property unless there is direct access to the building through an open space, which is part of the same property, to a public street or highway or to a private street constructed and maintained that vehicles of all kinds may readily pass on it or about on the street. Minimum lot widths are established for the various zoning districts which are part of this Ordinance and lot widths are measured at the street right-of-way line. However, this Ordinance does permit the use of an "access lane" to the public street as shown on Drawing 1 where the minimum width of such "access lane" shall be 15 feet. In instances where the "access lane" is used the lot width, lot area and yard requirement shall be established for the property beginning at the location where the "access lane" terminates and the bulk of the property begins as shown on Drawing 1 (Page 34).

407.2 Clear Site Distance at Corner Lots. At all street intersections, no obstructions to vision shall be placed or erected in the area of the "site triangle" as hereinafter defined. Obstructions shall be considered any objects which have (or will have) sufficient bulk to block vision such as buildings, landscape plantings, sign boards, etc. Objects whose surface bulk lies below 3 feet and above 10 feet, as measured from the centerline elevation of adjacent streets, shall not be considered obstructions under the terms of this Ordinance, unless the Zoning Officer interprets them as obstruction due to a unique set of circumstances peculiar to a particular site or development application.

407.3 Site Triangle in All Districts. The site triangle in all districts shall be formed by the edges of the travel surfaces of the intersecting roads abutting a property and a line drawn between the two points

along the edges of the travel surfaces each forty (40) feet distance from the point of intersection of the edges of the travel surfaces. See Drawing 2.



407.4 Off-Street Loading. Off-street loading shall be provided in accordance with the specifications in this section in all districts, whenever any new use is established or an existing one is enlarged. Every use listed in the following table shall provide off-street loading berths in accordance with its size.

USE	BERTH OR LOADING AREAS REQUIRED
Institutional Uses	
Schools	50,000
Hospitals, Nursing Homes, Personal Care Homes, Auditoriums and Arenas	100,000
Commercial Uses	
Convenience Store/ Service Station	40,000
Eating and Drinking Place	50,000
Retail Sales/Shopping Centers	50,000
Hotel	100,000
Industrial Uses	
Light Manufacturing	50,000
Heavy Manufacturing, Wholesale, Warehouses Truck Terminals	10,000

Note: All figures are given in gross feet of floor area for each listed use.

Size and Access: Each off-street loading space shall be not less than ten (10) feet in uniform width and sixty-five (65) feet in length. It shall be so designed so the vehicles using loading spaces are not required to back onto a public street or alley. Such spaces shall abut a public street or alley or have an easement of access thereto.

407.5 Off-Street Parking. Off-street parking shall be provided in accordance with the specifications in this section in all districts, whenever any new use is established or an existing one is enlarged.

A. Size and Access: Off-street parking spaces shall have an area determined by their use. In the case of multi-family dwellings, mobile home parks, industrial and manufacturing establishments, warehouses, wholesale, and truck terminals, each space shall be not less than one hundred forty-four (144) square feet, being at least eight (8) feet wide and eighteen (18) feet long. For all other uses, each space shall have a uniform area of one hundred eighty (180) square feet, being at least ten (10) feet wide and eighteen (18) feet long. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Except in the case of single-family dwellings, no parking area shall contain less than three (3) spaces. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Where an existing lot does not abut on a public or private street, alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces.

B. Number of Parking Spaces Required: The number of off-street parking spaces required is set forth in Table 407.5. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply. If no similar uses are mentioned, the parking requirements shall be one (1) space for each two (2) proposed patrons and/or occupants of that structure. Where more than one (1) use exists on a lot, parking regulations for each use must be met, unless it can be shown that peak times will differ.

TABLE 407.5 PARKING USES	PARKING SPACES REQUIRED
Residential	
Single-Family Dwelling	2 per dwelling unit
Family and Group Day Care	2 spaces for the dwelling and at least 1 additional space
Multi-Family Dwelling	2.5 per dwelling unit, unless limited to persons over the age of 55, or 1 bedroom units, then 1.5 spaces per dwelling unit
Mobile Home Parks	2 per dwelling unit
Institutional Uses	
Churches, Auditoriums, Indoor Assembly Places	1 per each 3 seats or 1 per each 4 persons permitted in maximum occupancy
Stadiums, Sports Arenas and Places of Outdoor assembly	1 per each 6 seats or 1 per each 4 persons permitted in maximum occupancy
Schools	1 per each teacher and staff 1 for each 4 classrooms plus 1 for each 2 students age 16 and over
Nursing Homes and Personal Care Homes	1 per each staff on the largest shift plus 1 per each 4 beds
Hospitals	1 per each staff on the largest shift plus 1 per each bed
Commercial Uses	
Auto Sales and Service, Trailer Sales, and Similar Outdoor Sales	1 per 5,000 square feet developed lot area for vehicle display <i>and</i> 1 per 300 square feet customer service area; to a required maximum of 30 designated customer parking spaces
Day Care Centers	One space for every eight (8) children under care and one space for each employee on shift
Convenience Store/Service Stations	1 per 200 square feet gross floor area
Motels/Hotels	1 per guest room plus 1 per each employee on the largest shift
Funeral Home	25 for the first parlor or viewing room, plus 10 per each additional viewing room
Indoor Commercial Recreation	One per each 3 persons in maximum occupancy
Outdoor Commercial Recreation	1 per each 2,500 of lot area developed and used for the recreational activity
Medical and Dental Office	8 spaces per doctor
Professional Office and Banks	1 per each 250 square feet of gross floor area
Furniture Stores, Building Material and Supply Yards	1 per each 800 feet of gross floor area
Eating and Drinking Places	1 per each 2.5 patron seats
Retail Stores/Shopping Centers	1 per each 400 square feet of gross floor area
Fast Food, Drive Through Eating and Drinking	1 per each 2 patron seats
Recreation Campgrounds	2 per campsite
Industrial Uses	
Business Parks, Light Manufacturing, Heavy Manufacturing, Truck Terminals and Warehouses	1 per each employee on largest shift plus 1 visitor space per each 10,000 square feet gross floor area

408 – Buffer Areas.

Buffer areas are utilized to ameliorate possible nuisances among adjacent land use activities which are markedly different in character; properly used buffer areas can promote compatible relationships among different land uses where negative characteristics are presented, e.g. a great amount of vehicular circulation and/or off-street parking; the presence of outdoor work and storage areas which are unattractive and/or noisy, very dissimilar and/or unattractive in building styles, etc. The following requirements are applicable where designated in this Ordinance. These requirements may be utilized in Special Exception and Conditional Use Applications.

408.1 Buffer Area Techniques - Buffer area techniques shall include:

- A. Fencing and walls a minimum of 5 1/2 feet in height consisting of a solid material that will effectively block views; and/or
- B. Plant materials providing they are dense and high enough; plant materials may include, but are not limited to, small deciduous trees where many lateral branches emerge from the main stem or those with multiple stems near ground level (for example the hawthorn, the crabapple); evergreen trees and shrubs (for example the hemlock, the spruce, the yew, the arbor vitae); deciduous shrubs (for example the privet, the honeysuckle); and, where space is adequate, shade trees (for example the maple, the ash); the type, amount and spacing for the planting will depend on the space available and the nature of the activities requiring the buffer areas where plant materials are used for the buffering techniques the Zoning Hearing Board or the Township Supervisors may require that the desired effect of these plant materials as a screening agent be immediate and that the screening shall be effectively perceived throughout all seasons of the year. Should immediate effectiveness not be necessary this condition shall be made a part of the record of the public review of the application; and/or
- C. Landscape forms such as a mound of earth a minimum of 5 1/2 feet high; and /or
- D. Minimum amounts of space between uses.

408.2 Buffer Area Requirements.

- A. Where the distance between the area of an activity, carried out either on the open land or in a structure, and the adjoining property line is less than 20 feet, or where the distance between the area of an activity, carried out either on the open land or in a structure, and an adjacent building on an adjoining property used in whole or part as a residence, is less than 40 feet the Township may require fence and/or wall techniques to be used to form a buffer. Where the activity is permitted as a matter of right the Zoning Officer shall decide whether a fence and/or wall shall be required. The uses of plant materials or land forms to achieve the buffer effect would not be mandatory in these instances but usually are recommended as supplementary to the fence or wall. Vehicular access ways and off-street parking are considered land use activities, as are outdoor work and storage areas.
- B. Where the distance between the area of a land use activity, carried out either on the open land or in a structure, and an adjoining property line is 20 feet or greater, or where the distance between the area of a land use activity, carried out either on the open land or in a structure, and an adjacent building used in whole or in part as a residence is 40 feet or greater, fence and/or wall techniques are not required; the buffer effect may be achieved through the use of plant materials or land forms.

409 – Height Limitations. When the following conditions are met, height limits may be increased.

409.1 Structure height, in excess of the height permitted above the average ground level allowed in any district may be increased, provided all minimum front, side and rear yard depths are increased by one (1) foot for each additional foot of height; however, such increase shall be limited to no more than ten (10) additional feet.

409.2 The following structures are exempt from height regulations provided they do not constitute a hazard: church spires, chimneys, elevator bulk heads, smoke stacks, conveyors, flag poles, agricultural barns, silos and similar farm structures, standpipes, elevated water tanks, derricks and similar structures.

However, for the above structures, all yard and set-back requirements must be met; in addition, any structure with a height in excess of fifty (50) feet will be first referred to the Fire Department for a review and comments relative to public safety considerations. Such comments shall be considered by the Board of Supervisors as part of a land development application pursuant to the Township Subdivision and Land Development Ordinance.

410 – Performance Standards.

No use of land or structure in any district shall involve, or cause, any condition or material that may be dangerous, injurious, or noxious to any other property or person in the Township. Furthermore, every industrial or commercial use of land or structure in any district must observe the following performance requirements:

410.1 Fire Protection. Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.

410.2 Electric Disturbance. No activity shall cause electrical disturbances adversely affecting radio, television or other communication equipment in the adjoining area.

410.3 Noise. Noise which is determined to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for public safety purposes.

410.4 Odors. In any district, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

410.5 Air Pollution. No pollution of air by fly-ash, dust, vapors or other substances shall be permitted which is harmful to health, or to animals, vegetation or other property.

410.6 Glare. Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

410.7 Erosion. No erosion by wind or water shall be permitted which carry objectionable substances onto adjoining properties.

410.8 Water Pollution. No permit shall be issued until all applicable wastewater, stormwater or erosion/sedimentation control permits have been obtained.

411 – Signs.

411.1 The following sign regulations shall be observed in all districts:

- A. The following signs shall be permitted in all districts, and no permit shall be required to erect such signs:
 - 1. Temporary signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization, provided such sign shall not exceed thirty-two (32) square feet in area and shall be removed within thirty (30) days of the completion of the campaign, drive or event.
 - 2. Signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed thirty-two (32) square feet and not more than one (1) such sign shall be placed on the property unless such property fronts on more than one (1) street, in which case one (1) sign may be erected on each street frontage.
 - 3. Temporary signs of contractors, developers, architects, engineers, builders and artisans, erected and maintained on the premises where the work is being performed, provided that the area of such sign shall not exceed thirty-two (32) square feet, and provided that such sign shall be removed upon completion of the work.
 - 4. No trespassing signs, signs indicating the private nature of a road, driveway or premises, signs controlling fishing or hunting on the premises, provided that the area of such sign shall not exceed four (4) square feet.
 - 5. Signs advertising the sale of agricultural products. Such signs shall not exceed thirty-two (32) square feet in area, and shall be removed within thirty (30) days following the cessation of sales for the applicable products.
- B. No signs shall be permitted within street lines, except traffic signs and similar regulatory notices placed by a duly constituted governmental body.
- C. Directional information signs, not exceeding two (2) square feet in area and used for the direction and protection of the public, shall be permitted in all districts. Such signs must be placed within eight thousand (8,000) feet of the event or place the sign is directing to, and must be placed with the permission of the property owner. If such signs are directing to a particular event, they must be removed within fourteen (14) days of the cessation of the event. Placement of signs is restricted to two (2) signs per intersection.
- D. Construction and Maintenance. All signs shall be constructed in a workmanlike fashion using durable materials. Signs shall be designed and constructed to withstand wind forces and in accordance with appropriate mechanical or electrical standards. The owners of signs shall keep them in safe and good repair. Signs which become deteriorated or otherwise present a public

hazard shall be removed or repaired by the sign's owner. If the owner of a sign cannot be found or identified, the owner of the property whereon the sign is located shall be responsible for its repair or removal.

- E. No sign structure erected directly upon the ground within fifteen (15) feet of the front lot line shall have less than three (3) feet six (6) inches of clear space between such sign and the ground; however, necessary supports may extend through such open space.
- F. Nonconforming signs, once removed, shall be replaced only with conforming signs. Nonconforming signs may be repainted or repaired, providing such repainting or repairing does not exceed the dimensions of the existing sign.
- G. Motor vehicles used as signs must be registered and inspected for travel on the highways of the Commonwealth, and are only permitted in designated parking areas. They may not be parked where they would block any vehicular line of sight.
- H. Freestanding moveable type temporary signs are permitted to be utilized for a period of only thirty (30) days per each calendar year.
- I. Temporary Business Signs, such as vinyl banner signs, are also permitted as accessory to all Business uses. However, such signs remain subject to all setback requirements for business signs, and may not exceed 32 square feet in size. No banner shall remain in place for more than 30 continuous days or 120 total days per calendar year.

411.2 Each use may have a combination of freestanding, roof, or wall signs meeting the standards of the following table. For the A, RR, R-1 and R-2 Districts, aggregates shall be calculated based upon per-lot basis. For the C, IP and I Districts, aggregates shall be based upon separate tenancy.

ZONING DISTRICT	A and RR	R-1/R-2	C/IP/I
Signage Area Permitted	Aggregate of 64 Square Feet 3 Signs per Property	Aggregate of 32 Square Feet 2 Signs per Property	Aggregate of 400 Square Feet
Maximum Area per Sign	32 Square Feet	16 Square Feet	144 Square Feet
Maximum Height per Sign (measured from existing grade)	12 Feet	7 Feet	25 Feet
Setback	15 Feet from R-O-W 20 Feet from Property Lines	15 Feet from R-O-W 20 Feet from Property Lines	15 Feet from R-O-W 20 Feet from Property Lines
Illumination	Internal or External	External Only	Internal or External

411.3 Billboards. Billboards shall be permitted as a conditional use in the A and I Districts provided the following standards are met.

- A. No billboard may be placed on any road or street designated as a scenic byway under any Township Scenic Byway Ordinance.
- B. No more than one billboard may be emplaced upon any single parcel. A billboard may be placed upon a property containing another business use, but the number of any other signs upon the property will not be used in calculating the total size of the billboard permitted.
- C. No Billboard, as defined by this ordinance, may be placed within five hundred (500) feet of another Billboard.
- D. Billboards shall not be placed within two hundred fifty (250) feet of any residence, church, public or accredited private school.
- E. Billboards shall not be placed within two hundred fifty (250) feet of any road intersection, or at a curve or at any place where vehicular line-of-sight could be partially or completely obstructed.
- F. No billboard may be placed within twenty five (25) feet of any public road or street right of way.
- G. The applicant shall show evidence of compliance with all applicable regulations of the Pennsylvania Department of Transportation. A PennDOT Highway occupancy permit shall be a condition of approval.
- H. Each billboard may have up to two distinct areas for placement of advertising, but the total area of sign messages upon any billboard shall not exceed 672 square feet. The area of sign shall not include structural elements below the sign, unless they are obviously designed to be part of the sign message. The maximum silhouette of any billboard shall also not exceed 672 square feet.
- I. After Conditional Use Approval, and prior to issuance of a zoning certificate, the developer shall show evidence of compliance with all applicable regulations of the Pennsylvania Department of Transportation.
- J. Electronic Billboard message display shall remain static for a minimum of five (5) seconds. There shall be no strobe, flashing effect or other animation during the display. Any transitions or change of the display between messages shall not be more than one (1) second. Transitions that involve fading, scrolling, or other animations shall not be permitted.
- K. Illumination. The owner of the Billboard or his agent shall measure sign luminance with a luminance meter set to measure foot-candles accurate to at least two decimals. Luminance shall be measured with the sign off, and again with the sign displaying a white image for a full color-capable sign, or a solid message for a single-color sign. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the sign. Signs shall be measured at a distance of 39 feet from the illuminated face. The difference between the off and solid-message measurements using the criteria shall not exceed 0.3 foot-candles at night. A letter certifying compliance shall be provided to the zoning officer.

- L. Dimming Capabilities. Electronic billboards shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurement.
- M. Electronic billboards which malfunction shall be turned off except for testing during any correction or repair.
- N. Audio or pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with any billboard.
- O. The application must be accompanied by a certificate of liability insurance in such sum as, in the judgment of the Township, is necessary under all the circumstances of the case, conditioned for the indemnification of the Township of Cambridge from any and all damages, liabilities, claims, demands, costs and expenses that the Township may have to pay to any person arising and growing out of the negligent erection, construction or maintenance of any such sign.
- P. All billboards shall be attached to the ground by a metal or concrete posts, pillars, poles, or columns.
- Q. The Application shall be accompanied by a certification by an engineer that the proposed billboard will not be a wind hazard or cause slope instability on the proposed location.
- R. The rear side of a single-faced billboard shall be of one color and screened by existing or natural landscaping materials or by a planting of evergreen trees at least six feet tall.

411.4 Electronic Signs. Signs with video, LED or similar electronic changeable copy messages are permitted as a conditional use in the C, IP and I Districts provided the developer of the sign shall clearly describe the type of electronic sign proposed as it meets the appropriate definition of electronic signs in this Ordinance. No Electronic sign may function as a billboard except in strict conformity to Section 416.3

- A. Signs shall meet all area and setback limitations for the district in which it is proposed.
- B. Additional setback from residential districts: All portions of the sign structure must be a minimum distance of one hundred (100) feet from an abutting R-1 or R-2 residential district boundary.
- C. Setback from other electronic changeable copy, electronic graphic display or video display signs. Electronic signs must be separated from other electronic signs by at least thirty-five (35) feet. No more than one electronic sign is permitted on a lot, regardless of how many tenants occupy that lot.
- D. Orientation. When located within one hundred fifty (150) feet of a residentially-used lot in a residential zone, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot;

- E. Audio or Pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic sign.
- F. Electronic sign content. Electronic signs may contain permanent content about any business located on the premises upon which the sign is placed. They may also contain temporary messages with content about such businesses, or temporary messages announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization, provided that such message is changed upon the cessation of such a campaign, drive or event. Electronic signs may also contain messages permitted for temporary signs as authorized under Sections 600 B and 600 D of this chapter. Electronic Signs may function as directional signs to guide drivers to other businesses within two thousand (2,000) feet of the sign's location.
- G. Message display shall remain static for a minimum of five (5) seconds. There shall be no strobe, flashing effect or other animation during the display. Any transitions or change of the display between messages shall not be more than one (1) second. Transitions that involve fading, scrolling, or other animations shall not be permitted.
- H. Illumination. The owner of the sign or his agent shall measure sign luminance with a luminance meter set to measure foot-candles accurate to at least two decimals. Luminance shall be measured with the sign off, and again with the sign displaying a white image for a full color-capable sign, or a solid message for a single-color sign. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the sign. Electronic signs of ten square feet or less shall be measured at a distance of thirty two (32) feet. Electronic Signs of greater than ten (10) square feet shall be measured at a distance of 39 feet The difference between the off and solid-message measurements using the criteria shall not exceed 0.3 foot candles at night. A letter certifying compliance shall be provided to the zoning officer.
- I. Dimming Capabilities. All permitted electronic signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurement.
- J. Electronic signs which malfunction shall be turned off except for testing during any correction or repair.

Article V
Specific Use Standards

501 – Permitted Uses with Conditions, Conditional Uses and Special Exceptions. The criteria for permitted uses with conditions, conditional uses and special exceptions are listed below. In addition to these criteria, the Zoning Hearing Board, in granting special exceptions, and the Board of Supervisors, as advised by the Planning Commission in considering conditional uses, are charged with considering the effect that such proposed uses will have upon the immediate neighborhood. The preservation and integrity of existing development must be carefully weighed and given priority in each decision. In granting a special exception or conditional use, the Zoning Hearing Board or Board of Supervisors (as appropriate) may attach reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code and this Ordinance. Such Conditions may include but are not limited to:

- A. Establishment of screening and buffering, or an increase in screening and buffering normally required.
- B. Limitations upon hours of operation.
- C. Establishment of fencing for purposes of security, limiting vehicular access, or control of windblown trash.
- D. Limits upon future subdivision of property to prevent the creation of a lot too small for the approved use.
- E. Changes in the proposed location or design of access drives or parking areas to prevent traffic hazards, congestion, or the impacts of increased traffic upon local access and residential streets.
- F. Requirements for protection of public roads and streets where heavy vehicle traffic is anticipated.
- G. Other conditions to ensure that the exterior appearance of a building or property is in harmony with surrounding development, including an agreement by the applicant to adhere to any design standards of the Township Subdivision and Land Development Ordinance.
- H. Any compressors shall be so enclosed as to baffle their sound from surrounding uses.
- I. All dumpsters and or garbage/trash storage areas shall be enclosed and placed in a rear or side yard.

The developer will be notified in writing of any such reasonable additional conditions and safeguards imposed by the applicable board as part of an approval.

Permitted uses that have conditions attached will be granted or denied by the Zoning Officer based solely upon the criteria set forth in this section as well as other appropriate sections of this Ordinance. The Zoning Officer does not have the authority to attach any conditions to such approvals.

502 – Accessory Dwellings. The purpose of this section is to provide for temporary living quarters as an accessory to a permanent single-family dwelling to facilitate the family care of persons who are qualifying occupants. This shall only be permitted where consistent with Pennsylvania DEP hardship provisions for temporary mobile homes under Act 537 and implementing regulations. Upon approval, the Zoning Officer shall issue a temporary use permit for an accessory dwelling. The use shall be valid for as long as the occupant meets the standards of a qualifying occupant and shall be renewed annually. Qualifying occupants include persons who are either sixty (60) years of age or over, convalescent, or have a physical or mental impairment that substantially limits one or more major life activities; and has a record of such impairment; or is regarded as having such impairment, or person related by blood, marriage, or adoption to the occupant of the single family dwelling. .

- A. The accessory dwelling unit shall have access to potable water and a sewage disposal system approved by the Sewage Enforcement Officer. The unit must be installed in conformity to all requirements of the Pennsylvania Uniform Construction Code and related state regulations. However, the unit may not be installed or attached to any kind of permanent masonry foundation.
- B. The accessory dwelling unit shall not be located in any required yard or setback area.
- C. The accessory dwelling must be located at least twenty (20) feet from the permanent dwelling unit.
- D. A temporary permit shall expire if the companion dwelling unit is removed from the property or no longer occupied by a qualifying occupant for a ninety- (90) day period.

503 – Forestry.

The practice of forestry, including timber harvesting, is declared as a permitted use in all districts. It is subject to the following conditions:

- A. Any harvesting shall present an approved erosion and sediment control plan (if required by County or State Agencies) prior to the issuance of a zoning permit.
- B. In R-1, and R-2 Districts, to avoid traffic congestion and sound disturbance, all activities must start after 7:00 a.m. and end by 6:00 p.m.
- C. All applicable road bonding requirements of the Township must be met.

504 – Nursery and Landscaping and Farm Markets.

- A. If retail sales are provided on-site, there shall be at least four (4) customer parking places.
- B. No outdoor storage of mulch, stone or similar loose materials is permitted within one hundred (100) feet of an abutting residential dwelling without screening of at least six (6) foot in height. Loose materials may not be piled above the height of proposed screening.

505 – Day Care Services.

A. Family Day Care Homes

1. Such operations must obtain any permits/certificates required by the state.
2. Hours of operation shall not begin before 6:00 a.m. nor extend beyond 8:00 p.m. (prevailing time).

B. Group Day Care Homes

1. Such operations must obtain any permits/certificates as required by the state.
2. Hours of operation shall not begin before 6:00 a.m. nor extend beyond 8:00 p.m. (prevailing time).
3. Outdoor play areas shall be effectively screened from nearby residential uses through fencing or screening.
4. At least one (1) additional parking place shall be required.
5. The operator shall demonstrate how children shall be dropped off and picked up considering their safety and the safety of other pedestrian and vehicular traffic in the area.

C. Child Day Care Centers

1. Any outdoor play area shall be effectively screened from abutting properties.
2. For all new construction, and where feasible for existing structures, circular driveways shall be provided to deliver and pick up children off public streets. These facilities are intended for the safety of the children and the protection of the neighborhood. In any event, the developer shall demonstrate how pick-up and delivery shall occur in a safe manner.
3. One (1) parking space for each employee shall be required.
4. Such facilities must be licensed or registered (as appropriate) by the Pennsylvania Department of Public Welfare.

506 – Bed and Breakfast Inns

- A. No bed and breakfast shall have more than three (3) guest rooms.
- B. There must be an owner resident.
- C. No sign may exceed sixteen (16) square feet in area, and must be lit by indirect means.

507 – Agricultural Sales and Services

- A. No equipment for sale shall be placed within any front yard setback in a manner that would block a line of sight.
- B. Silos and grain drying facilities shall be set back from all lot lines by the height of the structure.

508 – No Impact Home Based Business, Home Occupation and Home Lot Occupation.

508A – No Impact Home Based Business. The business or commercial activity must satisfy the following requirements:

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business use, including, but not limited to, parking signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- G. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five percent (25%) of the habitable floor area.
- H. The business may not involve any illegal activity.

If the business meets all such requirements, it shall be considered a lawful permitted use accessory use to a dwelling.

508B – Home Occupation.

- A. The home occupation must be carried on entirely within the dwelling unit.
- B. No more than twenty percent (20%) of the gross floor area of the dwelling may be used for the home occupation.

- C. Articles sold or offered for sale on site shall be limited to mail-order articles or articles for sale elsewhere.
- D. No offensive noise, vibration, smoke (or other particulate matter), heat, humidity, glare, or other objectionable effects shall be produced.
- E. No equipment or processes shall be used which create interference in radio or television receivers off the premises or which cause fluctuation in utility line transmissions. Applicant will also show that electric or electronic equipment will not create an electrical fire hazard.
- F. Not more than two (2) persons other than the occupants of the dwelling unit shall be employed.

508C – Home Lot Occupation.

- A. No more than fifty percent (50%) of the area devoted to a family business shall be covered by buildings, parking lots, or any other impervious surface, devoted to the business.
- B. The owner or occupant of the home must be engaged in the family business.
- C. No more than two (2) full-time and two (2) part-time persons, other than individuals who reside on the property, may be employed in the family business.
- D. Any outdoor storage of supplies, materials, or products shall be located behind the building in which the family business is conducted.
- E. Waste shall be properly disposed in conformity with performance standards.

509 – Commercial Stables, Veterinary Clinics and Dog Kennels

- A. The applicant shall show compliance with all State dog law standards, as it would apply to their operation.
- B. All overnight boarding of animals shall be conducted indoors. Kennels shall show means of adequate sound proofing.
- C. All parking and recreation/play areas that abut residential uses shall provide screen planting, and fencing as necessary to contain animals.

510 – Sawmills.

- A. Sawmills shall be set at least fifty (50) feet from the front yard setback line and at least seventy-five (75) feet from the side or rear setback lines.
- B. There shall be no storage of logs, equipment sawdust piles, or lumber within twenty-five (25) feet of any setback line.

511 – Cemeteries. The purpose of cemeteries, under this Ordinance, is to provide a place for the sale of lots for a proper burial ground for persons or domestic pets. All other uses and activities must be clearly and customarily incidental to this use. Prior to the establishment of a new facility or expansion of an existing cemetery, the owner shall:

- A. File a site plan to demonstrate the design and layout of the proposed cemetery or cemetery expansion and specifically illustrating: the proposed drainage plan, the internal circulation plan, and the location of accessory building(s).
- B. Connections to existing Township streets will be no closer than fifty (50) feet to a street intersection, fifteen (15) feet to a fire hydrant, thirty (30) feet to a driveway on the same side of the street, and shall avoid streets or driveways opposite proposed means of ingress and egress.
- C. Shall demonstrate compliance with applicable state laws.
- D. All accessory uses must be clearly incidental and subordinate to the function of the cemetery.
- E. All new facilities or any facility including a crematorium shall have a size of at least five (5) acres.

512 – Exotic Animal Raising and Care.

- A. No exotic Animal Raising and Care may be conducted on a lot of less than ten (10) acres. The developer shall agree to not subdivide any parcel below these stated minimums, while the said use remains active.
- B. No cages pens or runs shall be closer than three hundred (300) feet from adjoining lot lines.
- C. Provide evidence that waste products or manure will not create a nuisance.
- D. Provide evidence of meeting all applicable state codes and licenses

513 – Campgrounds/Recreational Vehicle Parks. Such uses are also regulated by the Township Subdivision and Land Development Ordinance and must comply with all provision of that Ordinance. Such uses shall also:

- A. Provide evidence of compliance with Department of Environmental Protection Standards for water and sanitary sewer facilities.
- B. Provide evidence of approved solid waste removal that will provide adequate service for each campsite and recreational vehicle site through individual or centralized collection

514 – Communication Towers.

- A. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communication antennas.
- B. The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- C. Communication towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable Airport Hazard Zoning Regulations. Towers must comply with the Cambridge Township Subdivision and Land Development Ordinance as a subdivision for lease.
- D. Any applicant proposing construction of a new communications tower shall demonstrate that a good faith effort has been made to first obtain permission to mount the communications antennas on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable structures within a one-quarter (1/4) mile radius of the proposed communications tower site be contacted and that one (1) or more of the following reasons for not selecting such structure apply:
 - 1. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
 - 2. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
 - 3. Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - 4. Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
 - 5. A commercially reasonable agreement could not be reached with the owners of the structure.
- E. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all weather surface for its entire length.
- F. A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the zoning district.
- G. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.

- H. Unless pre-empted by airport zoning, the maximum height of any communications tower shall be two hundred fifty (250) feet; provided, however, that such height may be increased to no more than three hundred (300) feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of two hundred fifty (250) feet, plus an additional twenty five (25) feet.
- I. The foundation and base of any communications tower shall be set back from a property line by an amount equal to at least the height of the proposed tower.
- J. The base of a communications tower shall be landscaped so as to screen the foundation and base and communications equipment building from abutting properties.
- K. The communications equipment building shall comply with the required yards and height requirements of applicable zoning district for an accessory structure.
- L. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association.
- M. The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the communications tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas. It is the responsibility of the Developer to notify the Township of any changes in insurance coverage within sixty (60) days of such change.
- N. All guy wires associated with guyed communication towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
- O. The site of a communications tower shall be secured by a fence with a minimum height of ten (10) feet to limit accessibility by the general public.
- P. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency that has jurisdiction.
- Q. If a communications tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of such twelve (12) month period.

515 – Intensive Outdoor Recreation.

- A. Shall have a lot size of no less than fifty (50) acres.

- B. Outdoor commercial shooting ranges and commercial hunting operations shall not undertake activities between the hours of sunset and sunrise. The Board of Supervisors may limit hours of operation for other intensive uses as a reasonable additional condition of approval.
- C. Commercial shooting ranges shall illustrate that the design and direction of all firing lanes shall not present a danger to public health and safety. The developer shall show adherence to best design practices, such as the National Rifle Association's NRA Range Source Book to ensure safety. Other intensive uses shall present a plan to minimize any noise created by activities through buffering, acoustic engineering, or topography.

516 – Mineral Excavation.

516A – Mining. Mining may include the excavation of earth, sand, gravel, stone, coal or other minerals by surface or deep mining methods and removal of the excavated materials from the site when such activity is the principal use and not incidental to land development. An application for conditional use must be approved prior to issuance of any land development plan, stormwater management plan, or other approval.

As part of the application for conditional use approval, the excavator shall submit a drawing showing:

- A. The property on which the excavation will occur, including abutting roads, property lines and boundary on the property within which the excavating will occur, including proposed phasing of the work over the life of the project;
- B. Contours at five- (5) foot intervals, indicating existing contours and proposed contours at conclusion of excavation;
- C. Solution to drainage from the site, showing means of carrying stormwater to a natural drainage way or to an approved stormwater system
- D. The registration seal of the engineer preparing the drawing when over five (5) acres in area.
- E. The excavator shall comply with all applicable regulations of the Township , including but not limited to site grading and drainage, landscaping and buffering, and environmental standards.
- F. No landfill or dumps for garbage or other refuse or commercial or industrial by-products shall be permitted.
- G. The excavation project shall be operated as follows:
 - 1. Primary access to the site shall be controlled at one location.
 - 2. The excavator shall post the property, noting that a dangerous condition exists and warning trespassers away.
 - 3. The excavator shall take care that trucks leaving the property are not overloaded. If materials from trucks are spilled upon a public road right of way, all such materials shall be removed from the road within four (4) hours. Material spilled on to cartways shall be removed immediately.

4. Wash stations shall be installed for trucks leaving the site to enter a public road in order to ensure that no dust leaves the property.
 5. To prevent the migration of dust from surface mining to other properties, the Township may require the installation of screening, landscaping or buffer areas.
- H. The Board of Supervisors may require a bond in favor of the Township to be posted by the excavator to cover damages that may occur to Township roads as a result of hauling materials excavated from the permitted site. The amount of the bond less any sums needed to correct damages shall be refunded to the excavator within one (1) year after the conclusion of the operation.
- I. No mining operation shall be conducted within any setback limits set forth by the Commonwealth of Pennsylvania or the United States Government. The developer shall provide the Township with evidence that all setbacks required by other agencies have been met.
- J. Mining may not occur in any side or rear setback area established in any district. Overburden may not be placed higher than any setback area, unless set back by at least one foot for each additional foot in height above grade.

516B – Oil and Gas. The following definitions have been adopted by the Township pursuant to this chapter. They are intended to be interpreted exclusively in light of oil and gas operations within the Township and not applicable to other land uses or other forms of development.

“Derrick” -- Any portable framework, tower mast and/or structure which is required or used in connection with drilling or re-drilling a well for the production of oil or natural gas.

“Emergency Responders” -- The Pennsylvania State Police, all fire companies serving the Township, all EMT and ambulance companies serving the Township, and the Township and county Emergency Management offices.

“Natural Gas” – A fossil fuel consisting of a mixture of hydrocarbon gases, primarily methane, and possibly including ethane, propane, butane, pentane, carbon dioxide, oxygen, nitrogen and hydrogen sulfide and other gas species. The term includes natural gas from oil fields known as associated gas or casing head gas, natural gas fields known as non-associated gas, coal beds, shale beds and other formations. The term does not include coal bed methane.

“Natural Gas Compressor Station” -- A facility designed and constructed to compress natural gas that originates from a gas well or collection of such wells operating as a midstream facility for delivery of gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field. The term includes one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

“Natural Gas Processing Plant” -- A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

“Oil” -- Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.7 PSIA. This term is also referred to as petroleum.

“Oil and gas operation(s)” -- The term includes the following:

1. Well location assessment, including seismic operations, well site preparation, construction, drilling, hydraulic fracturing and site restoration associated with an oil or gas well of any depth;
2. Water and other fluid storage or impoundment areas used exclusively for oil and gas operations;
3. Construction, installation, use, maintenance and repair of:
 - a. Oil and gas pipelines;
 - b. Natural gas compressor stations; and
 - c. Natural gas processing plants or facilities performing equivalent functions.
4. Construction, installation, use, maintenance and repair of all equipment directly associated with activities specified in paragraphs (1), (2) and (3) above, to the extent that:
 - a. The equipment is necessarily located at or immediately adjacent to a well site, impoundment area, oil and gas pipeline, natural gas compressor station or natural gas processing plant; and
 - b. The activities are authorized and permitted under the authority of a federal or commonwealth agency.

“Oil or Gas Well”--A pierced or bored hole drilled or being drilled in the ground for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage, including brine disposal. This term shall include an “unconventional gas well.”

“Oil or Gas Well Site” -- The location where facilities, structures, materials and equipment whether temporary or permanent, necessary for the preparation, construction, drilling, production or operation of an oil or gas well. This definition also includes exploratory wells.

“Operator”-- The person designated as the well operator or the operator of another oil and gas operation on the permit application or well registration.

Oil and gas well sites, natural gas compressor stations, and natural gas processing plants that were permitted or constructed prior to the adoption of this ordinance shall not be required to meet the requirements of this ordinance; provided that any modification to an existing or permitted oil or gas well site that occurs after the effective date of this ordinance and materially alters the size, type, location, number of wells and other accessory equipment or structures, or any physical modifications to an existing natural gas compressor station or natural gas processing plant shall require compliance with and a permit under this ordinance. Federal or state law or regulation preempts ordinance requirements that conflict with federal or state statute or regulation. Cambridge Township acknowledges that it is pre-empted from regulating the operational methods of the oil and gas industry and may only regulate land uses and the act of land development. In addition to meeting all requirements under 516A, oil and gas drilling operation shall also comply with the following as a conditional use:

- A. Accepted professional standards pertaining to minimum traffic sight distances for all street or road access points shall be adhered to.
- B. Drilling Rig Derricks are exempted from height requirements of the zoning district, provided that the period of drilling does not exceed six (6) months. It is the responsibility of the developer to inform the Township when drilling rigs are emplaced upon the site to determine the period of exemption. Drilling rigs shall be located a minimum setback distance of 1.5 times their height from any property line, public or private street, or building not related to the drilling operations on either the same lot or an adjacent lot.
- C. The drilling pad for the oil or gas well site shall comply with all setback and buffer requirements of the zoning district in which the oil or gas well site is located.

When drilling is begin conducted with 500 feet of a dwelling in separate ownership from the property upon which the drilling proposed, the developer shall mitigate light and noise through the following standards:

- A. Lighting at the oil or gas well site, or other facilities associated with oil and gas drilling development, either temporary or permanent, shall be directed downward and inward toward the activity, to the extent practicable, so as to minimize the glare on public roads and nearby buildings within 100 feet of the oil or gas well development.
- B. Noise. The applicant shall take the following steps to minimize, to the extent possible, noise resulting from the oil or gas well development.

Prior to drilling of an oil or gas well the applicant shall establish by generally accepted testing procedures, the continuous seventy-two hour ambient noise level at the nearest property line of a residence or public building, school, medical, emergency or other public facility, or one-hundred feet from the nearest residence or public building, medical, emergency or other public facilities, whichever point is closer to the affected residence or public building, school medical, emergency or other public facility. In lieu of the establishment of the ambient noise level established by the continuous seventy-two hour test the applicant may assume and use, for the purpose of compliance with this ordinance, a default ambient noise level of 55 dBA. The sound level meter used in conducting any evaluation shall meet the American National Standard Institute's standard for sound meters or an instrument and the associated recording and analyzing equipment, which will provide equivalent data.

The applicant shall provide the township documentation of the established ambient noise level prior to starting oil or gas drilling and/or production operations.

The noise generated during the oil and gas operations or the natural gas compressor station or the natural gas processing plant shall not exceed the average ambient noise level established in subsection (2) by more than 5 decibels during drilling activities or 10 decibels during hydraulic fracturing operations.

Effective sound mitigation devices shall be installed to permanent facilities to address sound levels that would otherwise exceed the noise level standards when located near a residence, public building, school, medical, emergency or other public facilities.

Exemption from the standards established in this subsection may be granted by the Township during the drilling stage or at the oil or gas well site, or the gas compressor station, or at the natural gas processing plant for good cause shown and upon written agreement between the applicant and the township.

Complaints received by the township shall be addressed by the applicant, within 24 hours following receipt of notification by continuously monitoring for a period of forty-eight hours at the nearest property line to the complainant's residential or public building or one hundred feet from the complainant's residential or public building, school medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the township and shall mitigate the problem to the allowable level if the noise level exceeds the allowable rate.

Screening and Fencing.

- A. Security fencing shall not be required at oil or gas well sites during the initial drilling, or redrilling operations, as long as manned 24-hour onsite supervision and security are provided.
- B. Based upon the proposed location of the well pad and all appurtenant structures, the Township may require screening and/or fencing as a reasonable additional condition of approval. When required, fencing shall meet the following minimum standards:
 - 1. A permanent chain link fence shall be promptly installed at the oil or gas.
 - 2. Well site to secure well heads, storage tanks, separation facilities, water or liquid impoundment areas, and other mechanical and production equipment and structures on the oil or gas well site.
 - 3. Fencing shall be at least 6 feet in height equipped with lockable gates at every access point and having openings no less than 12 feet wide.
 - 4. Emergency Responders shall be given means to access oil or gas well site in case of an emergency.
 - 5. Warning signs shall be placed on the fencing surrounding the oil or gas well site providing notice of the potential dangers and the contact information in case of an emergency.

516C - Additional regulations for natural gas compressor stations, and natural gas processing plants, which shall fall under the conditional use for Oil and Gas Drilling.

- A. No Natural Gas Processing Plant or Natural Gas compressor station shall be located within two thousand (2,000) feet of the boundary of an R-1 or R-2, zoning district, or one thousand (1,000) feet of a principle structure on an adjoining parcel in separate ownership from the one proposed for development of the station or plant.
- B. Lighting at a natural gas compressor station or a natural gas processing plant shall, when practicable, be limited to security lighting.
- C. Noise regulations under section this section shall be met as a performance standard.

517 – Sanitary Landfills. Sanitary landfills shall be permitted only as a Conditional Use. Plans for sanitary landfills shall be approved and controlled by the Pennsylvania Department of Environmental Protection (PennDEP), the laws and regulations of the Commonwealth and appropriate laws and regulations of the United States of America. Operators of sanitary landfills shall file with the Board of Supervisors written proof that they have met all permit requirements of the state and/or federal government as they may apply to a specific development.

A. Local requirements which must be met prior to permit approval by the Board of Supervisors include:

1. A buffer yard of two hundred fifty (250) feet from all public rights-of-way and four hundred (400) feet from all dwellings, schools, churches, hospitals and similar residential uses.
2. A barrier of natural forestry at a width of one hundred (100) feet or an eight (8) foot high cyclone type fence with panel weaving or similar solid fencing shall parallel all public rights-of-way and adjacent properties for purposes of preventing the passing of windblown litter and preventing direct visibility of the working area from public rights-of-way and adjoining properties.
3. The barrier shall be at a minimum distance of seventy-five (75) feet from all operations, and the area between the work area and barrier shall consist of a natural cover of vegetation or forestry. This strip shall not be of barren soil.
4. The landfill shall have no more than two (2) access routes, unless the landfill property borders three (3) or more public rights-of-way. In such an event, approval by the Township Supervisors will be necessary to secure an additional access route.
5. A bond to protect township roads utilized by land fill traffic shall be negotiated prior to approval.
6. The operator shall submit to the Board of Supervisors for approval a plan for the restoration of the landfill area which shall include anticipated future use of the restored land.
7. All such proposed uses shall be on a lot of no less than fifteen (15) acres. No landfill activities may exceed a height of forty (40) feet above existing grade.

518 – Open Air Entertainment Facility.

- A. Shall have a lot of no less than twenty (20) acres.
- B. Any outdoor lighting shall be shielded to prevent glare to adjoining properties
- C. Shall not directly abut an R-1 or R-2 residential district

519 –Subdivision of Agricultural Lands

Purpose: Because the A-Agriculture District is specifically designated to protect the Township’s unique high-value farmland from complete development into lots too small for the practice of viable agriculture, the following limits shall apply in the creation of new lots from parent tracts within the district. However, to offer farmland owners maximum opportunities and flexibility for their property, the following options are offered.

BASIC RIGHT TO SUBDIVIDE. Owner(s) of a tract located in the A-Agriculture District shall have the unrestricted right to divide three new lots from a tract existing on the date this Ordinance becomes effective, so long as the new lots meet all size requirements of this Ordinance or applicable amendments.

Any subdivision of a tract existing on the date this ordinance becomes effective, involving more than three lots, shall be regulated in accordance with one of the following options. The owner(s) of the tract or its residual (the portion of the tract remaining after the subdivision of one to three lots after the effective date of this ordinance), shall choose the option for further subdivision that shall be utilized. The option chosen shall be specifically identified on the approved and recorded subdivision plan.

OPTION ONE: CONVENTIONAL SUBDIVISION. In this Option, minimum lot sizes are still applicable.

From a tract existing on the date this Ordinance becomes effective, only a limited number of new lots may be created. The following limits shall apply in the creation of new lots from parent tracts within the district. The number of new lots created within any parent tract existing in separate ownership on the date of adoption of this Ordinance shall not exceed the number in Table 519A so long as the new lots meet all size requirements of this Ordinance or applicable amendments.

Table 519A	
Size of Original Property in Separate Ownership*	Maximum Number of Lots*
Less than four (4) acres	Four (4) lots
Four (4) acres or over but less than ten (10) acres	Three (3) lots
Ten (10) acres or over but less than twenty-five (25) acres	Five (5) lots
Twenty-five (25) acres or over but less than fifty (50) acres	Six (6) lots
Fifty (50) acres or over but less than seventy five (75) acres	Seven (7) lots
Seventy-five (75) acres or over but less than hundred (100) acres	Eight (8) lots
One Hundred (100) acres or over but less than hundred twenty five (125) acres	Nine (9) lots
One Hundred twenty Five (125) acres or greater	Ten (10) Lots
*Including any original or residual tract not subdivided	

The provisions of this section shall apply to all parent tracts as of the effective date of this ordinance.

Regardless of size, no parcel or lot subdivided from its parent tract may be further subdivided, unless the property is expressly designated for further subdivisions as may be permitted under Table 519A or is rezoned. All subsequent owners of parcels of land subdivided from a parent tract shall be bound by the actions of the previous owners of the parent tracts.

Any subdivision plan hereafter filed for a parent tract in the A-Agricultural District shall specify which lot or lots shall carry with them the right to erect or place thereon any unused quota of single-family detached dwellings or farm parcels as determined and limited by the provisions of this section.

In the event a tract of land not originally classified as part of the A-Agricultural District on the effective date of this Ordinance is hereafter classified as part of the A-Agricultural District, the size and ownership of such tract of land and its classification as a parent tract, shall be determined as of the effective date of the change in the zoning classification to A-Agricultural.

OPTION TWO: HOMESTEAD AND COUNTRY LOTS. This Option is designed to allow subdivision of a tract of at least twenty five (25) acres existing on the date this Ordinance becomes effective, into a proportional mix of larger and smaller lots. The lots to be created under this option shall include any lots divided from the tract after the date this ordinance becomes effective.

The intent is to allow a mix of larger Homestead Lots for the purposes of horse keeping or limited agriculture, with smaller Country Lots. At least fifty percent of the total number of proposed lots shall meet the minimum dimensions of Homestead Lots (or be of greater size). The remaining fifty percent of lots may be of Country Lot Standards.

Homestead Lot Standards	
Minimum Lot Size	160,000 square feet
Minimum lot width	200 feet
Minimum front yard setback	50 feet on all roads
Minimum side yard setback	50 feet
Minimum rear yard setback	50 feet all principle buildings, 10 feet accessory

Country Lot Standards	
Minimum lot size	80,000 square feet
Minimum lot width	150 feet
Minimum front yard setback	50 feet on all roads
Minimum side yard setback	30 feet
Minimum rear yard setback	50 feet all principal buildings, 10 feet accessory

If at least fifty percent (50%) of the total tract acreage prior to subdivision is proposed for Homestead Lots of at least ten (10) acres in size each, the remaining fifty percent (50%) of the tract may be used for Country Lots, regardless of the lot ratios previously stated.

Each newly created Homestead Lot or Country Lot created shall be accompanied by a deed restriction restricting any future subdivision.

OPTION THREE: CLUSTER SUBDIVISION. This Option is designed to allow subdivision and development of a tract existing on the date this Ordinance becomes effective, or the residual of the parent tract if one to three lots have been previously subdivided from the parent tract, as a Cluster Subdivision. The intent of a cluster subdivision is to facilitate creativity in land development by permitting a reduction in lot size, while conserving natural and scenic features of a site. Under this Option, owners or developers may create smaller lots, while retaining overall site density, and thus saving on road and infrastructure costs. However, because of higher density, a higher level of site planning is necessary to preserve rural and agricultural resources and natural infrastructure.

Such Use shall be submitted and approved as a Conditional Use and must meet the following requirements to be approved.

- A. The tract or the residual of the parent tract, must be at least twenty five (25) acres to be eligible for consideration as a Cluster Subdivision.
- B. At least fifty percent (50%) of the entire tract must be preserved as open space. This fifty percent shall be based upon total tract acreage. A deed covenant or other legal instrument shall be attached to prevent construction of other than a farm building or farm accessory structure within any tract of Open Space. Open space uses may be any combination or single use listed below:
 1. Off-lot septic easements or wells, provided that homeowner access is permitted through easement
 2. Timber management and forestry
 3. Agriculture
 4. Equestrian activities by community residents
 5. Scenic areas and vistas
 6. Fishing, hunting, wildlife observation, and similar outdoor recreational pursuits
 7. Municipal or Neighborhood Recreation
 8. "Off-lot" private sewage disposal systems with easements to ensure access for maintenance (from the vantage of Act 537, these must be approved on lot systems, but may be located in common open space).Other open space uses may be accepted by the Township if approved prior to submission of a subdivision or land development plan and such uses do not involve residential, institutional, industrial or commercial use.
- C. Unless devoted to agriculture or forestry uses, open space areas must be owned by a land trust, government, homeowners' association, or similar responsible body to ensure maintenance or proper management in perpetuity. If devoted to agriculture or private forestry, means for appropriate permanent dedication or deed covenants to prevent its development shall be required prior to approval.
- D. A Plan for a Cluster Development must include a plan for preservation of natural and historic features, and the use of open space to buffer the proposed development from abutting residential uses.

- E. For lots devoted to single family dwellings, minimum lot size and lot width may be reduced to fifty percent of the minimum required in the applicable zoning district. All other dimensional requirements shall meet the Agricultural District requirements.
- F. To protect pre-existing development from conflict with new development, the Township may require a screen (buffer) planting as defined in this ordinance, along any perimeter of the property proposed for a cluster subdivision.

520 – Agricultural Operations.

The Township supports the continuation of agriculture in areas where it has been historically present. However, new agricultural operations shall be a Conditional Use in the RR – Rural Residential and R-1 Residential Districts.

- A. No animal agriculture shall occur on a lot of less than four (4) acres.
- B. No building containing livestock shall be within one hundred (100) feet of an abutting lot line.

521 – Mobile home Parks.

- A. Existing Parks: Mobile home parks presently existing within the Township which do not conform with this chapter can exist as a nonconforming use, which shall further allow replacement of existing mobile homes within the existing mobile home park, provided that the replacement unit shall not be of a size greater than one hundred thirty percent (130%) of the unit presently installed at the time that this chapter is adopted.
- B. Additions to Parks: Additions to mobile home parks must conform with all the provisions of this Ordinance.
- C. Density Requirements:
 - 1. The minimum gross area required for a mobile home park shall be fifteen (15) contiguous acres.
 - 2. The minimum lot area required for each mobile home shall be twenty thousand (20,000) square feet.
 - 3. The minimum width of each mobile home lot shall be fifty (50) feet.
 - 4. The minimum width of each side yard shall be twenty-five (25) feet from the furthest projected part of or addition of each mobile home.
 - 5. The minimum setback line from street right-of-way shall be twenty (20) feet.
- D. Street System
 - 1. A safe and convenient entrance road connecting the mobile home park with a public street or road, having a minimum pavement width of twenty-four (24) feet, shall be provided.

2. Surfaced roadways within the mobile home park shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:
 - a. Where parking is permitted on both sides, a minimum width of thirty-four (34) feet will be required.
 - b. Where parking is permitted on one side only, a minimum width of twenty-eight (28) feet will be required.
 - c. Where all parking shall be on-lot, a minimum width of twenty (20) feet shall be required.
 - d. Dead-end streets shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet.
 - e. All streets shall be surfaced in accordance with Township specifications.
 - f. Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight percent (8%). Short runs with a maximum grade of fifteen percent (15%) may be permitted, provided that traffic safety is assured by appropriate surfacing and adequate leveling areas. The park owner shall install suitable storm drainage facilities to manage stormwater per Township regulations.
 - g. Within one hundred (100) feet of an intersection, streets shall be at approximately right angles.
 - h. A plan of the streets shall be provided with the mobile home park application.
- E. Off-Street Parking: Off-street parking for at least two (2) motor vehicles shall be provided at each mobile home lot, and off-street parking for additional vehicles of park occupants and guests shall be provided where street rights-of-way are of insufficient width for such purposes.
- F. Lot Construction.
 1. Each mobile home lot shall be improved to provide an adequate foundation or stand for the placement of the mobile home, consistent with the Uniform Construction Code.
 2. An enclosure of compatible design and material similar to the mobile home siding shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
 3. Only public water may be used to service the mobile home park. Each individual mobile home must, and shall, be connected into the water line.
 4. Each individual mobile home must, and shall, be connected into a public sewage disposal system.
 5. Each individual mobile home must, and shall, be connected into an electrical distribution system.
 6. All service buildings, such as management offices, laundry facilities, indoor recreation areas, etc., shall comply with the requirements of this chapter and with all other zoning and building ordinances of the Township.

7. Fire hydrants or dry hydrants, as designed and approved by the public water provider, shall be installed and located within five hundred (500) feet of all mobile homes or other buildings, and the cost of construction and maintenance and rental shall be paid by the mobile home park owner.
- G. Open Space Requirements: All mobile home parks shall provide and so indicate on the plan of the mobile home park, suitable areas for recreation and open space uses by using the standard of twenty percent (20%) of the total area of the mobile home park of which one half of the area shall be in one piece. The recreation and open space shall be located as centrally as possible within the mobile home park in order to be easily accessible to the residents of the mobile home park. Such areas shall be free from undevelopable steep slopes and shall be usable for recreation.
 - H. Responsibility of the Mobile Home Park Owner/Management: The general care of the mobile home park shall be the responsibility of the owner/management. This will include all lot improvement, grass mowing, playground equipment, and road and sidewalk maintenance (including snow removal). The mobile home park owner/management shall provide adequate solid waste storage facilities and pickup services. Solid waste storage facilities shall be located in an enclosed structure.
 - I. Inspection of the Mobile Home Park: An inspector designated by the Township Supervisors is authorized to inspect mobile home parks constructed, altered, or extended after the effective date of this chapter, in connection with the issuance of the original permit or in connection with any expansion permit to be issued. Additional inspections may be made as required to determine compliance with these regulations.
 - J. Removal of Mobile Home: No mobile home shall be removed from the Township without first obtaining a permit from the Township Tax Collector, as required by Act No. 54, 1969, of the Pennsylvania General Assembly. Such permit shall be issued upon payment of the required fee and real estate and personal taxes assessed and unpaid at the time the permit is requested.

522 – Two Family or Multiple Family Dwellings.

- A. In the R-1 Residential District, no Two Family Dwelling shall abut or adjoin another two family dwelling on a side lot line. Two Family Dwellings in this District must be served by Public Water and Sewer. Lot size must be increased to 35,000 square feet and Lot Wide to 100 feet.
- B. All units must have separate kitchen and bathroom facilities as well as living/sleeping spaces. All units must have separately metered utilities.
- C. Each dwelling unit shall have a minimum size of six hundred (600) square feet exclusive of common spaces.
- D. All required parking shall be accommodated on lot or in leased or otherwise dedicated tenant spaces within fifty feet of the proposed development.
- E. All area and yard requirements for two family and multiple-family dwellings must be met per District Regulations.

523 – Public Utility Buildings and Structures.

- A. Lots containing structures or buildings for public utilities shall be landscaped to present a minimum intrusion upon the neighborhood.
- B. The structure shall be enclosed by a security fence of a minimum height of eight (8) feet.
- C. No outdoor storage shall be permitted.
- D. Lighting shall be designed to prevent glare to adjoining properties

524 – Public and private elementary and secondary schools recognized by the Commonwealth.

- A. Shall provide all parking and loading/unloading requirements as required by this Ordinance.
- B. Shall be located on a public street with a minimum paved cartway of twenty-four (24) feet.
- C. All parking and recreation/play areas, which abut residential uses, shall be screened.
- D. Any outdoor lighting shall use fully or partially shielded fixtures.
- E. All necessary licenses or permits issued by county, state or federal agencies shall be presented to the Board and required licenses, certificates or permits shall be a condition for approval.

525 – Hospitals, Nursing Homes, Personal Care Homes and Assisted Living Facilities.

- A. There shall be no sign or exterior display beyond the name of the home or its use.
- B. At least one (1) additional on lot parking space shall be provided for each two (2) guests.
- C. No home may admit more than 25 residents, unless located at least 100 feet from any lot containing a single family dwelling
- D. All necessary licenses or permits issued by county, state or federal agencies shall be presented to the Board and required licenses, certificates or permits shall be a condition for approval.

526 – Colleges and Universities, including classrooms, administrative and support buildings

- A. The developer shall present a means to ensure that the normal flow of traffic to events will avoid the utilization of local streets and predominantly single family dwellings in residential districts.
- B. No stadium or sports field shall be located within 200 feet of an R-1 or R-2 District.
- C. Present a plan for management of noise through screening and buffering.

- D. No Dormitory shall be permitted within 200 feet of an R-1 or R-2 District.

527 – Artisan and Craftwork.

- A. If a retail showroom is available, shall provide one parking space for each 400 square feet of retail space.
- B. Shall have a sign of no greater than sixteen square feet.

528 – Auto and Equipment Sales and Services.

- A. No vehicles will be parked or stored in a manner which would encroach upon a free sight triangle, or safe line of sight for any nearby street or driveway.
- B. There shall be no outdoor storage of new or used parts, scrap parts, unlicensed vehicles, parts of vehicles, tires or vehicles which lack current Pennsylvania inspection stickers. The overnight parking of customer vehicles and the screened storage of approved trash containers shall be permitted.
- C. All lighting shall be indirect, or designed to prevent glare to adjoining properties.
- D. All compressors shall be enclosed to minimize noise to adjoining properties.
- E. All underground storage tanks shall be in compliance with all Federal or State regulations.

529 – Building Material and Supply Yards.

- A. Shall submit a plan that details the storage of any hazardous substances, such as propane and bulk fuel and any safety or mitigation standards, parking arrangements, the use of buildings on the site, surrounding properties and their usage and any other pertinent information
- B. A security fence of at least six feet in height and landscaping outside the fence shall surround any outdoor storage area.
- C. All outdoor storage shall be within all, rear or side yard setbacks and behind the principle structure, screened from view of any public road.
- D. All parking, loading and unloading facilities shall be clearly designed so motor vehicles will not be required to back into or from streets or roads when parking or leaving the premises.

530 – Convenience Store

- A. Meet all relevant standards of Section 340.

- B. Any fuel pumps shall be at least thirty (30) feet from any road right-of-way and at least thirty (30) feet from a side lot line.
- C. Canopies for fuel pumps shall be set back by their height from a right of way.

531 – Flea Markets. To conform to conditional use standards, all flea markets shall meet the following standards:

- A. The operator of the flea market shall either be the property owner, or provide evidence of written permission (such as a lease agreement) to utilize the property.
- B. The operator shall submit a plan that details public parking areas, and the number and location of proposed seller stalls.
- C. The operator shall have a contract with an approved waste hauler, and a minimum of one (1) fifty- (50) gallon capacity solid waste receptacle (or equivalent dumpster capacity) for every four (4) proposed sellers.

532 – Outdoor Commercial Recreation.

- A. Shall have a lot of not less than six (6) acres in size.
- B. Present a plan for the use, time, and duration of any outdoor speakers. Outdoor speakers may not be employed for musical performances. Outdoor speakers may not be employed for non-emergency use between the hours of 10:00 p.m. and 7:00 a.m.

533 – Self Service Storage Facilities.

- A. There shall be no outdoor storage of any type, at any time, with the exception of motor vehicles, trailers, or boats licensed to travel the highways or waters of the commonwealth. Such vehicles and trailers shall be stored in a manner that they are visually screened from any abutting residential use or abutting road right of way.
- B. In addition to the required side and rear yards, an additional ten (10) foot buffer yard shall be required. This buffer yard is to be planted in evergreen trees to provide a visual buffer to surrounding properties.
- C. The entire complex shall be surrounded by a security fence at least six (6) feet but not greater than eight (8) feet in height. Said fence shall be no closer to any lot line than ten (10) feet.
- D. There shall be no rental of space for active uses, such as gatherings or music practice, or retail sales or businesses conducted from the rental units.
- E. There shall be no bulk storage of chemical and petroleum products, and no housing of live animals.

534 – Transitional Housing Facility.

- A. The facility operator shall present to the Township applicable information about any and all limits upon residency to determine the facility will not operate as a halfway house.
- B. If the facility is located in a former single family dwelling, no more than ten (10) residents are permitted at any one time. Maximum residency of other building types is limited to sixteen (16) persons.
- C. No transitional housing facility shall be located within three hundred (300) feet of another transitional housing facility or one hundred feet of a preexisting single family dwelling.

535 – Retail Business and Shopping Centers greater than 80,000 square feet Gross Floor Area. This may include a mix of retail, eating and drinking places, professional offices, and service shops.

- A. The center shall be planned around a central green or quadrangle area, with consideration given to the relationship of various buildings and uses to each other. A minimum of ten percent (10%) of the total developed area shall be devoted to such greens or common passive recreational areas. This shall be in addition to any normal required yard and setback areas or limitations upon coverage.
- B. The developer shall submit a sketch plan that generally identifies proposed areas for various permitted and conditional uses within the center. This sketch plan need not include final dimensions and final designs of any public or private improvements, but shall focus upon the relationship of proposed uses to each other and the surrounding neighborhood. If areas are specifically identified for conditional uses, and meet all performance standards, their subsequent development may proceed by right at a later date without additional conditional use approval. However, no area proposed for a conditional use may be changed to another conditional use without submission of another application for approval. Areas proposed for conditional uses may be changed to permitted uses within the center. Nothing in this section alters the right of the Township to review and approve changes to any subdivision and land development plan.
- C. The plan shall illustrate an internal pedestrian and vehicular access system that facilitates travel between buildings within the center.
- D. The developer shall submit plans for any architectural guidelines or covenants proposed to ensure a harmonious development of the center as an integral whole.
- E. The developer shall submit a sketch landscaping plan that illustrates how landscaping will be used to buffer the proposed center from any abutting residential areas. The Township may increase standards for buffering and landscaping as a reasonable additional condition and safeguard.

536 – Heavy Industry. The applicant shall provide a detailed description of the proposed use, addressing each of the following impacts:

- A. The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any by-products. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with state and federal regulations;
- B. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size;
- C. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, waste water, stormwater, solid waste, etc.), and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including but not limited to performance standards under Article IV of this Ordinance; and,
- D. A traffic study prepared by a professional traffic engineer and meeting any standards for such studies established by Cambridge Township.
- E. The Township may employ a number of site specific reasonable additional conditions and safeguards, including, but not limited to screening, limits upon hours of operations, and maximizing distance of industrial activities from other zoning districts.

537 – Junk Yards, Salvage and Recycling Centers. Shall comply with the following requirements:

- A. All lots shall be at least ten (10) acres in size.
- B. There shall be no storage of scrap, machinery or equipment of any kind in the setback areas.
- C. All yard spaces shall be increased ten (10) feet.
- D. The processing or storage of hazardous materials, as defined by the Pennsylvania Department of Environmental Protection, shall not be permitted.
- E. Any person intending to have or operate a Junk Yard shall establish compliance with all applicable governmental laws and regulations including any licensing requirements adopted by the Township heretofore or in the future.

538 – Bulk Fuel Storage.

- A. Liquid storage tanks shall be completely surrounded by a dike capable of containing the maximum contents of all the tanks within the dike. Any openings in the dike shall be leak-proof

when closed and shall close automatically in the event of tank rupture. As needed, tanks shall be registered with DEP, comply with their regulations, and show evidence of same.

- B. No tank shall be located closer than 100 feet to any property or street line or 500 feet to any residence
- C. The area within the dike shall be drained by an underground system capable of closing automatically in the event of a tank rupture.
- D. An emergency management plan shall be prepared and approved by the Township with consultation with the local fire department and the consent of Pennsylvania Department of Environmental Protection shall be secured by the developer as conditions of issuing a zoning permit or certificate.

Section 539 – Correctional Facility and Halfway Houses.

- A. Shall present the Township with a security plan that takes into account the safety of Township and Borough residents, including notification of escape or riot.
- B. Shall not be located-within five hundred (500) feet of:
 - 1. A place of worship;
 - 2. A public or private pre-elementary, elementary, or secondary school;
 - 3. A public library;
 - 4. A child-care facility;
 - 5. A public park
- C. No Correctional facility, or halfway house, may be located where any adjacent property in separate ownership contains a pre-existing single family residence that is within four hundred (400) feet of the proposed facility.

Section 540 – Adult Entertainment Uses. Adult Entertainment Uses, as defined in this Section are permitted as a Conditional Use in the Commercial District in Cambridge Township subject to the regulations found in this Zoning Ordinance and all other applicable laws.

Adult Entertainment Uses include, but are not limited to:

- A. Adult arcades;
- B. Adult bookstores, adult novelty stores, or adult video stores;
- C. Adult cabarets;
- D. Adult motion picture theaters;
- E. Adult theaters;
- F. Bottle clubs;
- G. Escort agencies;
- H. Massage parlors;
- I. Nude model studios, and
- J. Sexual encounter centers.

Based on the findings and objectives enumerated below, the Board of Supervisors of Cambridge Township imposes certain restrictions affecting adult entertainment establishments, as defined.

540.1 – Findings and Objectives.

A. Findings – The Cambridge Township Board of Supervisors has considered materials that describe the negative secondary effects of adult entertainment uses (sexually oriented businesses) as set forth in numerous reports of studies done in cities of the United States including Minneapolis and St. Paul, Minnesota; Indianapolis, Indiana; Phoenix, Arizona and Los Angeles, California. The Board has also considered findings incorporated in the cases of City of Erie v. Pap’s AM, 539 U.S. __, 120 S. Ct. 1382 (2000), City of Renton v. Playtime Theatres, Inc., 475 U.S. 41 (1986) and Young v. American Mini Theatres, 427 U.S. 50 (1976). The Board of Supervisors has also considered the findings set forth by the General Assembly in Act 120 of 1996, regulating adult oriented establishments. (68 Pa. C.S.A. § 5501, et seq.) Based on these reports and studies, the Board of Supervisors has good reason to believe and so finds that adult entertainment uses lead to or facilitate acts of prostitution, sexual assault, the spread of sexually transmitted disease, increase in criminal activity, blighted conditions, the deterioration of property values and other negative effects which cause governmental concerns.

B. Objectives –

- (1) Cambridge Township desires to limit the location of adult entertainment uses within the Township because such adult entertainment uses bring with them negative secondary effects which impact the health, safety, and welfare of the Township.
- (2) Cambridge Township desires to protect the rights of all persons to free speech as guaranteed by the Constitution of the United States and the Commonwealth of Pennsylvania.
- (3) Cambridge Township desires to minimize the negative secondary effects of adult entertainment uses, which include difficulties for law enforcement, spread of disease, deleterious effects on business and residential property values, increased crime, particularly corruption of the morals of minors, and prostitution, and the encouragement of residents and businesses to move elsewhere.

540.2 – Definitions.

- A. Adult Arcade – Any place to which the public is permitted or invited wherein coin operated, slug operated, or for any form of consideration, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or any other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images are so displayed are distinguished or characterized by the depicting or describing of “specified sexual activities” or “specified anatomical areas”.
- B. Adult Bookstore, Adult Novelty Store, or Adult Video Store – A commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".
- (2) Instruments, devices or paraphernalia that are designed for use in connection with "specified sexual activities" or "specified anatomical areas".

PARAGRAPH (B) NOTE: A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas", and still be categorized as an adult book store, and adult novelty store, or adult video store. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an adult book store, and adult novelty store, or adult video store so long as one of its purposes is the offering for sale or rental for consideration of specified materials which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

- C. Adult Cabaret – A night club, bottle club, restaurant, or similar commercial establishment which regularly features:
 - (1) Persons who appear in a state of nudity or semi-nudity; or
 - (2) Live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas"; or
 - (3) Films, motion pictures, videocassettes, slides or other photographic reproductions, which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical area."
- D. Adult Motion Picture Theater – Commercial establishments where, for any form of consideration, films, motion pictures, videocassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".
- E. Adult Theater – A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nudity, or live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas".
- F. Bottle Club – an establishment operated for profit or pecuniary gain, which has a capacity for the assemblage of twenty (20) or more persons and in which alcoholic liquors, alcohol or malt or brewed beverages are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, or any organization as set forth in section 6 of the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act.

- G. Escort Agency – A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.
- H. Massage Parlor – Any place where a person offers a massage to other persons who pay money or any other form of consideration. Massage Parlor shall not include a facility wherein a person licensed or certified pursuant to Title 63 of the Pennsylvania Statutes offers massage as a form of treatment.
- I. Nude Model Studio – Any place where a person who appears semi-nude, in a state of nudity, or who displays “specified anatomical areas” and is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration. Nude model studio shall not include a proprietary school licensed by the Commonwealth of Pennsylvania or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college or university supported entirely or partly by taxation; or in a structure:
 - (1) That has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
 - (2) Where in order to participate in a class a student must enroll at least three (3) days in advance of the class; and,
 - (3) Where no more than (1) nude or semi-nude model is on the premises at any one time.
- J. Sexual Encounter Center – A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:
 - (1) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 - (2) Activities between male and female persons and/or persons of the same sex where one or more of the persons is in a state of nudity or semi-nudity.

Adult Entertainment Uses – Supplemental Definitions: For purposes of any and all Sections relating to the regulation of Adult Entertainment Uses, the following definition shall apply:

- A. Employee – A person who performs any service on the premises of a sexually oriented business on a full time, part time or contract basis, whether or not the person is denominated employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage, or other compensation by the operator of said business. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.
- B. Escort – A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a strip tease for another person.

- C. Escort Agency – A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.
- D. Establishment –
 - (1) The opening or commencement of any sexually oriented business as a new business.
 - (2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business.
 - (3) The addition of any sexually oriented business to any other existing sexually oriented business.
 - (4) The relocation of any sexually oriented business.
- E. Nudity or State of Nudity – The showing of the human male or female’s genitals, pubic area, vulva, anus, anal cleft, or cleavage with less than a fully opaque covering, the showing of the female breasts with less than a fully opaque covering or any part of the areola and/or nipple, or the showing of the male covered genitals in a discernibly turgid state.
- F. Person – An individual, proprietorship, partnership, corporation, association, or other legal entity.
- G. Semi-Nude or in a Semi-Nude Condition - The state of dress in which clothing partially or opaquely covers “specified anatomical areas”.
- H. Sexually Oriented Business – An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, massage parlor, escort agency, nude model studio, or sexual encounter center.
- I. Specified Anatomical Areas – The human genitals, public region, anus, buttocks, female breast(s) below a point immediately above the tip of the areola or human male genitals in a discernibly turgid state, even if completely covered.
- J. Specified Sexual Activities – Any of the following:
 - (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
 - (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy; or
 - (3) Excretory functions as part or in connection with any of the activities set forth in (1) and (2) above.

540.3 – Yard and Area Regulations. In addition to the yard and area regulations applicable to all uses permitted pursuant to the provisions of Section 306, no adult entertainment use shall be located:

- A. Within one thousand (1000) feet of the nearest property line of a parcel containing:

1. a place of worship
2. a public or private educational facility including, but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities; school includes the school grounds, but does not include the facilities used primarily for another purpose and only incidentally as a school; or
3. a licensed premises licensed pursuant to the alcoholic beverage control regulations of the Commonwealth of Pennsylvania;
4. any government or public facilities including, but not limited to, libraries, municipal building, or similar use or facility.
5. or within five hundred (500) feet of:
 - a. a boundary of an RR R-1 or R-2 residential district as defined in the Cambridge Township Zoning Ordinance, as amended; or a boundary of a residential district of any adjoining municipality's zoning ordinance; or
 - b. a public park or recreational area which has been designated for park or recreational activities including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or similar public land within the Township or other similar land within the Township which is under the control, operation or management of private parties and open and available for use by the general public.

For the purposes of Section 540.3, Yard and Area Regulations, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as the part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in subsection 540.3, Yard and Area Regulations. Presence of a municipal, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

540.4 – Screening and Buffering. Any lot which is to be used for any adult entertainment use shall contain screening and buffering along property lines adjoining other zoning districts or any residence.

540.5 – Signs. No sign and no other advertising that indicates the adult nature of such business shall be visible from the exterior of the structure. This shall include, but not be limited to, silhouettes, pictures, or phrases such as “girls, girls, girls” which can be construed to be suggestive and/or pornographic in nature.

540.6 – License. Any person intending to operate an Adult Entertainment Use shall establish compliance with all applicable governmental laws and regulations including any licensing requirements adopted by the Township heretofore or in the future.

Article VI
Administration and Enforcement

601 – Zoning Officer. The Zoning Officer who shall be appointed by the Governing Body, shall:

- A. Administer and enforce the provisions of this Ordinance in accordance with its literal terms and shall not have the power to certify construction or any use or change of use which does not conform to this Ordinance.
- B. Issue Zoning Certificates.
- C. Maintain a permanent file of all Zoning Certificates, and applications as public records.
- D. Identify and register all non-conforming uses as required by law.

602 – Zoning Certificates. A Zoning Certificate shall be obtained before any person may:

- A. Occupy or use any land; or
- B. Construct, reconstruct, move, alter, or enlarge any structure; (excluding normal maintenance and replacement of items such as windows, siding, and/or roofing, etc.); or
- C. Change the use of a structure or land to a different use; or
- D. Change a non-conforming use to another use.

Applications for Zoning Certificate shall be accompanied by two site plans or location map (one copy to be retained by the Township), showing clearly and completely the location, dimensions and nature of any structure involved, measurements of adjacent structures and such other information as the Zoning Officer may require for administration of this Ordinance, together with a filing fee in accordance with a schedule annually affixed by resolution of the Governing Body. Public agencies are exempt from the required fees. Such plans do not need to be prepared by a design professional and may be sketched by the applicant in a legible form. The zoning officer may reject such plans if insufficiency to determine compliance.

Zoning Certificates shall become null and void one year from date of issue. Prior to continuance of the activity or change for which the original certificate was issued, a new Zoning Certificate must be obtained.

Within thirty (30) days after the receipt of an application, the Zoning Officer shall either approve or disapprove the application in conformance with the provisions of this Ordinance. All Zoning Certificates shall be valid for one year. If work is not completed within that time frame a new certificate shall be secured and fees shall be paid according to the current fee schedule.

Zoning Certificates Required. No building or structure shall be constructed, erected, placed, moved, added to, or altered; and no building, structure, or land be used or changed in use, except pursuant to a zoning clearance that has been lawfully obtained in full compliance with the provisions of this Ordinance;

except that zoning permits shall not be required for: (1) accessory buildings, fences, and walls incidental to agricultural operations (2) structures such as sidewalks, steps, driveways, terraces, patios, flagpoles, doghouses, and lawn furniture such as benches, birdbaths and sundials and (3) alterations to building not affecting the external form and size of a building.

603 – Enforcement.

603.1 – Enforcement Notice. When it appears to the Township and/or the Zoning Officer that a violation has occurred, the Zoning Officer shall send an enforcement notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding the parcel, and to any other person requested in writing by the owner of record. The enforcement notice shall state the following:

- A. The name of the owner of record and any other person against whom the Township intends to take action.
- B. The location of the property in violation.
- C. The specific violation with a description of the requirements, which have not been met, citing in each instance the applicable provisions of the Ordinance.
- D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this Ordinance.
- F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

603.2 – Jurisdiction. District justices shall have initial jurisdiction over proceedings brought under Section 603.

603.3 – Enforcement Remedies. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance and any amendment thereto any prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred (\$500) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation continues shall constitute a separate violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs

and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the Township. Nothing contained in this section shall be construed or interpreted to grant any person or entity other than the Township and its Zoning Officer the right to commence any action for enforcement pursuant to this section.

604 – Zoning Hearing Board. In accordance with law, the Governing Body shall appoint and organize a Zoning Hearing Board, consisting of five (5) members. The Zoning Hearing Board shall adopt rules to govern its procedure. Consistent with all powers granted by the Pennsylvania Municipalities Planning Code, The Board shall conduct hearings, may compel the attendance of witnesses, take testimony under oath, and render decisions in writing all as required by law. A fee shall be charged in accordance with a schedule affixed by resolution by the Board of Supervisors for any appeal or proceeding filed with the Zoning Hearing Board. The Zoning Hearing Board shall have the function, powers and obligations specifically granted by law.

605 – Zoning Hearing Board Procedures. The hearing procedure of the Zoning Hearing Board shall be governed by the provisions of the Pennsylvania Municipalities Planning Code, as enacted and amended and such rules, not inconsistent therewith, as the Board may adopt. The Board or if such be the case, the Hearing Officer, shall conduct the hearings and make decisions accordingly.

605.1 – The Board shall conduct hearings and make decisions in accordance with the following requirements:

- A. Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer, such other persons as the governing body shall designate by ordinance and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by ordinance or, in the absence of ordinance provision, by rules of the Board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.
- B. The governing body may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.
- C. The hearing shall be held within 60 days from the date of the applicant’s request, unless the applicant has agreed in writing to an extension of time.
- D. The hearings shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or findings of the Hearing Officer as final.

- E. The parties to the hearing shall be the municipality, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
- F. The chairman or acting Chairman of the Board or the Hearing Officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- H. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- I. The Board or the Hearing Officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or Hearing Officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.
- J. The Board or the Hearing Officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are not afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representatives unless all parties are given opportunity to be present.
- K. The Board or the Hearing Officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the Board or Hearing Officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this Act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a Hearing Officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the Board prior to the final decision or entry of findings, and the Board's decision shall be entered no later than 30 days after the report of the Hearing Officer. Where the Board fails to render the decision within the period required by this subsection, or fails to hold the required hearing within 60 days from the date of the applicant's request for a hearing, the decision shall be deemed to have been

rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in subsection (1) of this Section. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of a competent jurisdiction.

- L. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

Article VII
Conditional Use, Special Exception and Variance Procedures and Requirements

701 – Conditional Use. A Conditional Use is a use to be allowed, or denied, by the Board of Supervisors to in a particular zoning district. Conditional Uses are specifically listed in Article III, Establishment of Zoning Districts. A Conditional Use is granted by the Board of Supervisors in accordance with the standards outlined in Section 701.2 of this Ordinance.

701.1 – Application for Conditional Use. An application for a Conditional Use shall be filed with the Zoning Officer. At a minimum the application shall contain the following information:

- A. Name, address, and phone number of applicant.
- B. Legal description of property.
- C. Description of existing use.
- D. Present zoning district.
- E. Description of proposed use.
- F. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and circulation, open spaces, landscape treatment on all surfaces, refuse and service areas, utility services, signs, yard areas and such other information as the Township Supervisors may require to determine if the proposed use meets the requirements of this Ordinance.
- G. A narrative statement:
 - a. evaluating the effect on such elements as noise, glare, odor, fumes, and vibrations on adjoining property;
 - b. discussing the general compatibility with other properties in the district; and
 - c. explaining the relationship of the proposed use to the Township's Comprehensive Plan.
- H. Any such other materials as may explain how the proposed use will comply with the requirements established in Section 701.5 of this Ordinance.

701.2 – Procedure For Conditional Uses. Three copies of the complete application shall be filed with the Zoning Officer. An application fee shall be paid in the amount set by Township Supervisors. The Zoning Officer shall as soon as possible refer one application to the Township Planning Commission and one application to the Township Supervisors. The Planning Commission may review the proposal and forward its recommendations to the Supervisors. The Planning Commission shall forward its recommendation within 45 days of the date the application was accepted by the Zoning Officer as complete; failure to act within this allotted time shall be considered a favorable recommendation.

Within 60 days of the date the application was accepted by the Zoning Officer as complete; the Township Supervisors, after giving public notice, shall hold a hearing on the proposal. The Supervisors, within 45 days after the termination of the hearing, shall render a decision. When the application is contested or denied; the decision shall be accompanied by findings of fact and conclusion.

Upon approval by Township Supervisors the application shall be appropriately signed and all development, construction and use shall be in accordance with the approved application and accompanying plan unless a revised plan is submitted and approved. Any development contrary to the approved plan shall constitute a violation of this Ordinance. In initially approving a conditional use, where not in conflict with other provisions of this Ordinance, and where supported by appropriate documentation, future expansions of the use may be included in Supervisor's approval.

701.3 – Expiration of Conditional Use Approval. A conditional use approval shall be considered to authorize only one particular use as approved by Township Supervisors and if the improvements described in the approval have not begun within one year from the date of approval the approval shall expire. If, for any reason, the conditional use shall cease or be abandoned for 1 year or more, it shall no longer be considered as authorized unless a new application is filed and approved.

701.4 – Review Conditions. The Township Supervisors may, in addition to those specifically provided in this Ordinance, attach such reasonable conditions and safeguards as it determines is necessary to meet the intent of this Ordinance, to protect adjacent property and to further the public interest. All development, construction and use shall be in accordance with any approved plan and all attached conditions, unless a revised plan is submitted and approved. Any development contrary to the approved plan shall constitute a violation of this Ordinance.

701.5 – Criteria for Approval. A conditional use shall be approved only if it meets the following criteria:

- A. The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance and any applicable State and Federal regulations.
- B. Special Standards - The proposed use shall meet all special standards which may apply to its class of conditional use as set forth in this Article.
- C. Performance Standards - The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or harmful to any other property or persons and shall comply with the provisions of Articles IV and V of this Ordinance.
- D. Relationship - The proposed use shall be cited, oriented and landscaped to produce a harmonious relationship of building and grounds to adjacent buildings and properties and shall comply with the provisions of Articles IV and V of this Ordinance.
- E. Environment - The proposed use shall produce a total visual impression and environment which is consistent with or an improvement to the environment of the neighborhood.
- F. Screening - A non-residential use proposed in a residential district shall be adequately screened from residential areas as deemed necessary by the Township Supervisors in accordance with Articles IV and V of this Ordinance.
- G. Parking - Adequate off-road parking shall organize vehicular access and parking to minimize traffic congestion in the neighborhood. Access to off-road parking areas shall be limited to well-defined location(s) and in no case shall there be unrestricted access along the length of a road or street.

702 – Special Exceptions. A Special Exception is a permission or approval granted an applicant to use land in a district for a purpose other than that generally permitted outright in that district. Special Exception Uses are specifically listed in Article III Establishment of Zoning Districts. The Special Exception is granted by the Zoning Hearing Board in accordance with the standards outlined in Section 702.2 of this Ordinance.

702.1 – Application for Special Exceptions. An application for a Special Exception shall be filed with the Zoning Officer. At a minimum the application shall contain the following information:

- A. Name, address, and phone number of applicant.
- B. Legal description of property.
- C. Description of existing use.
- D. Present zoning district.
- E. Description of proposed use.
- F. A plan of the proposed site for the special exception showing the location of all buildings, parking and loading areas, traffic access and circulation, open spaces, landscape treatment on all surfaces, refuse and service areas, utility services, signs, yard areas and such other information as the Zoning Hearing Board may require to determine if the proposed use meets the requirements of this Ordinance.
- G. A narrative statement:
 - a. evaluating the effect on such elements as noise, glare, odor, fumes, and vibrations on adjoining property;
 - b. discussing the general compatibility with other properties in the district; and
 - c. explaining the relationship of the proposed use to the Township's Comprehensive Plan.
- H. Any such other materials as may explain how the proposed use will comply with the same requirements established in Section 701.6 of this Ordinance.

702.2 – Procedure for Special Exceptions.

- A. Three copies of the complete application shall be filed with the Zoning Officer. An application fee shall be paid in the amount set by Township Supervisors. The Zoning Officer shall as soon as possible refer one application to the Zoning Hearing Board.
- B. The Board shall conduct a hearing in accordance with the procedures listed in Section 605 of this Ordinance within 60 days of the date that the application was filed. In granting a Special Exemption, the Board may attach reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purposes of this Act and the Zoning Ordinance. The Board shall render a decision no more than 45 days following the hearing.
- C. Upon approval by the Board, the application shall be appropriately signed and all development, construction and use shall be in accordance with the approved application and accompanying plan unless a revised plan is submitted and approved. Any development contrary to the approved plan shall constitute a violation of this Ordinance. In initially approving a Special Exception, where not in conflict with other provisions of this Ordinance, and where supported by appropriate documentation, future expansions of the use may be included in the Board's approval.

702.3 – Expiration of Special Exception Approval. A Special Exception approval shall be considered to authorize only one particular use as approved by the Zoning Hearing Board and if the improvements described in the approval have not begun within one year from the date of approval it shall expire. If, for any reason, the Special Exception shall cease or be abandoned for one (1) year or more, it shall no longer be considered as authorized unless a new application is filed and approved.

703 – Variances. When it is alleged that this Ordinance, strictly applied, inflicts an unnecessary hardship upon the applicant, a variance may be granted by the Zoning Hearing Board modifying the requirements in this Ordinance that inflict the hardship. A variance constitutes legal permission by the Zoning Hearing Board to use a property for a permitted use in a particular zoning district, but to do so with some modification in the regulations applicable to that District. A variance applies only to that particular piece of property for which it is granted. A variance action does not, in most circumstances, involve modifications of the permitted uses within the zoning district.

703.1 – The Zoning Hearing Board may grant a variance, provided that all of the following findings are made by the Board:

- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size and shape, or exceptional topographic or other physical conditions peculiar to the property and that the unnecessary hardship is due to these conditions and not due to circumstances or conditions generally created by the provisions of the zoning ordinances in the neighborhood or district in which the property is located;
- B. That because of such physical circumstances there is no possibility that the property can be developed in strict conformity with the provisions of this Ordinance;
- C. That such unnecessary hardship has not been created by the applicant;
- D. That the variance, if authorized will not alter the essential character of the neighborhood in which the property is located, nor substantially or permanently impair the appropriate use of adjacent property nor be detrimental to the public welfare;
- E. That the variance, if authorized, will represent the minimum variances that will afford relief and will represent the least modification possible of the regulations in issue.

703.2 – Furthermore in considering requests for variances the following principles shall apply:

- A. Non-conforming uses of adjoining lands, or certain types of structures in the same district and permitted or non-conforming uses of land or structures in other districts shall not be considered grounds for the issuance of variances.
- B. The Board shall not permit variances which allow a use not permissible under the terms of this Ordinance in the district involved unless the Board finds that the applicant cannot make a reasonable use of his land.

703.3 – In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Ordinance.

703.4 – Procedure for Variances. The procedure for a variance shall follow the Zoning Hearing Board Procedures outlined in Section 605.

Article VIII Amendments

801 – Zoning Amendments. Whenever the public necessity and convenience, the general welfare, or good zoning practices require it, Township Supervisors may, subject to the procedures and requirements set forth herein, amend, supplement, change, or repeal the regulations, restrictions, and boundaries or classifications of property established in this Ordinance.

802 – Initiation of Zoning Amendments. Amendments to this Ordinance may be initiated through proper application in the following ways:

- A. By Action of the Township Supervisors; either as a municipal curative amendment or other amendment.
- B. By a landowner who desires to challenge on substantive grounds the validity of this Ordinance claiming that the provisions of this Ordinance prohibit or restrict the use or development of land in which he has an interest. An amendment proposed in this manner shall be known as a Curative Amendment and shall be heard and decided upon as provided for in this Ordinance and in Sections 609.1, 609.2 and 916.1 of the Municipalities Planning Code, as amended.

803 – Contents of Zoning Amendment Application. The application for an amendment shall contain at a minimum the following:

- A. Name, address and phone number of applicant.
- B. Specific language or proposed amendment to the text, and/or the legal description of any district or boundary change.
- C. The present use and zoning district.
- D. The proposed use and zoning district.
- E. An accurate map at a reasonable scale showing property lines, streets, existing and proposed zoning and other items that may clarify the application and/or may be required by the Zoning Officer.
- F. Where applicable a listing of all property owners within, contiguous to, and directly across the road from the parcel proposed to be rezoned. Also all other property owners that may have a substantial interest in the proposed amendment shall be listed.
- G. A narrative (illustrated with mapped information where applicable) explaining the applicant's viewpoint of how the proposed change will impact,
 - 1. the community's public facilities, and
 - 2. the natural features of the site and its surroundings, and
 - 3. the land use patterns in the vicinity of the proposed change.
- H. A statement on how the proposed amendment relates to the Township's Comprehensive Plan.
- I. A fee as may be established by Township Supervisors.

804 – Procedures for Zoning Amendments.

804.1 – In the instance of the initiation of a zoning amendment by a landowner the application shall be filed with the Zoning Officer. Before a proposed amendment may be voted on by Township Supervisors opportunities shall be offered to the Township Planning Commission and the Crawford County Planning Commission to review the amendment. The Township Supervisors shall act on an application for a zoning amendment in accordance with the requirements of the Municipalities Planning Code.